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**COMMUNIST INFILTRATION OF VITAL INDUSTRIES
AND CURRENT COMMUNIST TECHNIQUES IN THE
CHICAGO, ILL., AREA**

HEARINGS
BEFORE THE
COMMITTEE ON UN-AMERICAN ACTIVITIES
HOUSE OF REPRESENTATIVES
EIGHTY-SIXTH CONGRESS
FIRST SESSION

MAY 5, 6, AND 7, 1959
(INCLUDING INDEX)

Printed for the use of the Committee on Un-American Activities

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COMMITTEE ON UN-AMERICAN ACTIVITIES

UNITED STATES HOUSE OF REPRESENTATIVES

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RICHARD ARENS, *Staff Director*

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PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946], chapter 753, 2d session, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

SEC. 121. STANDING COMMITTEES

* * * * *

18. Committee on Un-American Activities, to consist of nine Members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

(q) (1) Committee on Un-American Activities.

(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

* * * * *

RULE XII

LEGISLATIVE OVERSIGHT BY STANDING COMMITTEES

SEC. 136. To assist the Congress in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the Senate and the House of Representatives shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the Congress by the agencies in the executive branch of the Government.

RULES ADOPTED BY THE 86TH CONGRESS

House Resolution 7, January 7, 1959

* * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress,

* * * * *

(q) Committee on Un-American Activities, to consist of nine Members.

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

18. Committee on Un-American Activities.

(a) Un-American activities.

(b) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (1) the extent, character, and objects of un-American propaganda activities in the United States, (2) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (3) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

* * * * *

26. To assist the House in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the House shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the House by the agencies in the executive branch of the Government.

SYNOPSIS

Communist penetration of vital industries and current techniques of the Communist conspiracy were the subjects of public hearings held in Chicago, Ill., on May 5, 6, and 7, 1959.

Mr. Carl Nelson of Chicago testified that from 1934 through 1949 he was a member of the Communist Party and was in ideological sympathy with it; that after his severance with the formal Communist Party he continued in the Communist operation until about 1954 or 1955 serving principally in front groups.

Mr. Nelson emphasized that the formal entity known as the Communist Party is only one segment of the total Communist operation in the United States and that in order to avoid the impact of certain laws Communists often resign technical membership in the formal Communist Party but continue in the Communist operation.

Based upon his experience in various Communist units in the meatpacking industry in the greater Chicago area, Mr. Nelson stated that it was "saturated" by the Communist operation. There was exhibited to Mr. Nelson a leaflet which was one of several distributed in front of the courthouse in which the instant hearings were held. The leaflet bore the title, "Chicago Committee To Defend Democratic Rights," and was signed by Leon Katzen, chairman, and Richard Criley, executive secretary.

Mr. Nelson identified both Leon Katzen and Richard Criley as persons who to his certain knowledge were in the Communist Party.

In the course of his testimony, Mr. Nelson detailed Communist strategy and tactics in penetrating the meatpacking industry and identified a number of persons in the meatpacking industry who to his certain knowledge were members of the Communist Party.

Leon Katzen of Chicago, who had been identified by Carl Nelson as a member of the Communist Party, appeared in response to a subpoena, but refused to answer questions respecting his occupation, whether or not he was chairman of the Chicago Committee To Defend Democratic Rights, whether he had used the name "Mike Samuels," and a number of questions regarding Communist activities.

Richard Criley of Chicago, who had been identified by Carl Nelson as a member of the Communist Party, appeared in response to a subpoena and invoked constitutional privileges when asked the following question: "Are you the Richard Criley who is listed here in this document as executive secretary of the Chicago Committee To Defend Democratic Rights?" He, likewise, refused to answer questions respecting Communist Party activities and whether he was currently a member of the Communist Party.

Leslie Orear of Chicago, who had been identified by Carl Nelson as a member of the Communist Party, appeared in response to a subpoena and testified that he was the editor of *The Packinghouse Worker*;

that he was not currently a member of the Communist Party; and that he had not been a member of the Communist Party since 1954.

Mr. Orear refused to answer whether he resigned technical membership in the Communist Party and whether or not he had ever broken with the Communist Party. Although he asserted that he had at the time of the hearing a strong antipathy to the Communist Party, he declined to answer whether he knew the names of persons in the Chicago area who were members of the Communist Party in 1952, basing his declination on the ground that his answer might tend to incriminate him.

Leon Beverly, who had been identified by Carl Nelson as a member of the Communist Party, appeared in response to a subpoena and testified that he was field representative for the United Packinghouse Workers. He denied current membership in the Communist Party but declined to answer whether he resigned technical membership in the Communist Party so that he could deny membership and yet maintain himself in the Communist operation.

Samuel J. Parks, Jr., of Chicago appeared in response to a subpoena and testified that for 3 years prior to April 1957 he was director of a department of the United Packinghouse Workers. He denied current membership in the Communist Party but refused to answer whether he resigned technical membership in the Communist Party so that he could deny under oath current membership while remaining in the Communist operation, basing his refusal on the ground that his answer might tend to incriminate him.

Jack Souther of Chicago, who had been identified by Carl Nelson as a member of the Communist Party, appeared in response to a subpoena and testified that he was secretary-treasurer of District 1, United Packinghouse Workers of America. Although he denied current membership in the Communist Party, he refused to answer whether he had ever been a member of the Communist Party and refused to answer whether he had resigned technical membership in the Communist Party but maintained himself in the Communist operation, basing his refusal on the ground that his answer might tend to incriminate him.

Mrs. Gloria Wailes of Chicago, who had been identified by Carl Nelson as a member of the Communist Party, appeared in response to a subpoena and testified that she was employed as a secretary in the international office of the United Packinghouse Workers of America. She denied current membership in the Communist Party but refused to answer whether she had ever been a member of the Communist Party and whether she had resigned technical membership in the Communist Party but maintained herself in the Communist operation, basing her refusal on the ground that her answers might tend to incriminate her.

Joseph Zabritski of Chicago, who had been identified by Carl Nelson as a member of the Communist Party, appeared in response to a subpoena and testified that he had been one-time president of Local 25, United Packinghouse Workers of America. Mr. Zabritski denied current membership in the Communist Party, but refused to answer whether he had resigned technical membership in the Communist Party but maintained himself in the Communist operation, basing his refusal on the ground that his answer might tend to incriminate him.

John R. Hackney, an international representative for the Amalgamated Meatcutters and Butcher Workmen, testified that he had been a member of the Communist Party from approximately 1942 to 1948; that being a member of the Negro race, he joined the Communist Party because he believed that the party was the spearhead of the rights of the Negro people. Mr. Hackney broke with the Communist Party, however, upon realizing the insincerity of the Communists.

With reference to Communist penetration of the meat industry, Mr. Hackney stated that: "Because the party felt that the meat industry was essential to the national economy and it was important that they build the party within the meat industry in the event that we had war with other nations, that we could control the meat industry and its various outlets."

He continued: "From my most current information and my experience in my activity in the party I would say that the party is stronger now in the meat industry than it ever has been." Mr. Hackney corroborated the testimony of Carl Nelson to the effect that the current technique of Communists is to resign technical membership in the formal Communist Party in order to avoid the impact of certain laws but to continue in the Communist operation.

In the course of his testimony Mr. Hackney, who had served as a Communist in a number of Communist units within the meatpacking industry, detailed Communist strategy and tactics in penetrating the meatpacking industry and identified a number of persons in the meatpacking industry who to his certain knowledge were members of the Communist Party.

Charles A. Hayes of Chicago, director of District 1 of the United Packinghouse Workers, appeared in response to a subpoena. Mr. Hayes denied current membership in the Communist Party but declined to answer whether he had been a member of the Communist Party since the passage of the law requiring a non-Communist affidavit of certain labor officials and whether he resigned technical membership in the Communist Party so that he could avoid the impact of that law, basing his declination on the ground that his answer might tend to incriminate him.

Rachael Carter Ellis of Chicago, secretary to Charles A. Hayes, director of District 1 of the United Packinghouse Workers, appeared in response to a subpoena. She had previously been identified in the instant hearings by John R. Hackney as a member of the Communist Party. She denied current membership in the Communist Party but refused to answer whether she had been a member of the Communist Party during the preceding 2 years and whether she resigned technical membership in the Communist Party but maintained herself in the Communist operation, basing her refusals on the ground that her answers might tend to incriminate her.

Leo Turner of Chicago, who had been identified by Carl Nelson as a member of the Communist Party, appeared in response to a subpoena and testified that he was a field representative of the United Packinghouse Workers of America. He denied current membership in the Communist Party but refused to answer whether he resigned technical membership in the Communist Party but maintained himself in the Communist operation, basing his refusal on the ground that his answer might tend to incriminate him.

Albert P. Dency of Chicago appeared in response to a subpoena. Although Mr. Dency was confronted with the information of the committee that he had been a member of the Communist Party in Waukegan, Ill., in 1949, 1950, and 1951, he denied that he had ever been a member of the Communist Party or that he had been knowingly under the discipline of the Communist Party.

Francis William McBain of Chicago appeared in response to a subpoena and testified that he was a modelmaker. Mr. McBain refused to answer whether he was currently a member of the Communist Party, basing his refusal on a number of grounds including the ground that his answer might tend to incriminate him.

Edwin A. Alexander of Chicago appeared in response to a subpoena and testified that he was a member of the professional staff of the Jewish Federation, Metropolitan Chicago. Mr. Alexander recounted his education and his employment, including his past employment as a full-time official for the district office of the Young Communist League of California and his past employment as a full-time official in the Communist Party. Mr. Alexander detailed his career in the Communist Party which, with interruptions, endured over a period of a number of years until 1956. Mr. Alexander's testimony included a narrative of his activities in various Communist enterprises but he refused to disclose the identity of persons who as of 1956 were known by him to be members of the Communist Party.¹

Bernard Angert of Evanston, Ill., appeared in response to a subpoena and testified that he was a mold maker. Mr. Angert refused to answer whether he was currently a member of the Communist Party, and whether he was currently engaged in Communist Party work in the International Association of Machinists as a colonizer, basing his refusal on the ground, among others, that his answers might tend to incriminate him.

Joseph A. Poskonka of Chicago testified that he was currently in the Communist operation as a Communist functionary; that in 1943 he joined that part of the Communist operation known as the Communist Party, but that at no time had he ever been in sympathy with the Communist Party or Communist principles; that his service in the Communist operation was at the behest and with the cooperation of the Federal Bureau of Investigation for the purpose of supplying information to the Government. With respect to the current seriousness of the Communist operation in the United States, Mr. Poskonka testified as follows:

Mr. ARENS. I expect to interrogate you on several items in the course of your testimony this morning, but I should like at the outset to ask you first of all, based upon your background and experience since 1943 until this instant in the Communist operation and your participation in the Communist Party as a formal entity, to tell this committee now, while you are under oath, how serious is the Communist movement, the Communist operation in the United States this instant.

Mr. POSKONKA. It is very, very serious.

¹ Under date of June 3, 1959, the Committee on Un-American Activities voted to recommend to the House of Representatives that Edwin A. Alexander be cited for contempt.

Mr. Poskonka, who served for several years in the packinghouse segment of the Communist Party, testified respecting Communist penetration of the packinghouse industry in the greater Chicago area as follows:

Mr. ARENS. Mr. Poskonka, may I inquire on the basis of your service in the Communist operation up to and including the present instant, and your particular service in the packinghouse segment of the Communist operation, how serious is the penetration by Communists of the packinghouse industry in the greater Chicago area?

Mr. POSKONKA. It is very serious because they are dominating and any decent person of any kind that might be a decent American citizen that would want to represent labor as a decent leader or decent citizen, if he is not a member of the Communists or in sympathy he could not be elected to office because he would be slammed as a union boss or racketeer of some kind.

In the course of his testimony Mr. Poskonka detailed Communist strategy in penetrating the meatpacking industry and identified a number of persons in the meatpacking industry who to his certain knowledge were members of the Communist Party.

John Lewis of Chicago, who had been identified by Mr. Poskonka in the instant hearings as a person who had been known by him to be a member of the Communist Party, appeared in response to a subpoena and testified that he was employed in the Swift Packing plant in Chicago and that he had held a number of offices in Local 28 of the United Packinghouse Workers of America.

Mr. Lewis denied current membership in the Communist Party but refused to answer if he had ever been a member of the Communist Party and if he had resigned technical membership in the Communist Party so that he could deny current membership in the Communist Party if and when interrogated under oath, basing his refusal on the ground that his answer might tend to incriminate him.

Charles Proctor of Covert, Mich., who had been identified as a member of the Communist Party in the instant hearings by Joseph Poskonka and by John Hackney, appeared in response to a subpoena and testified that he was manager of the Packinghouse Labor and Community Center; that he was one-time chairman of the grievance committee for Local 28 of the United Packinghouse Workers in Chicago. When a number of documents were exhibited to Mr. Proctor respecting his participation in certain Communist enterprises he refused to comment, basing his refusal on the ground that his answer might tend to incriminate him. Mr. Proctor denied that he had been a member of the Communist Party any time in the course of the preceding 5 years but refused to answer whether he had ever been a member of the Communist Party on the ground that his answer might tend to incriminate him.

Donald H. Smith of Chicago, who had been identified in the instant hearings by Mr. Carl Nelson and Mr. John Hackney as a person who was a member of the Communist Party, appeared in response to a subpoena and testified that he was employed as international representative, United Packinghouse Workers of America. Mr.

Smith denied current membership in the Communist Party and declined to answer if he had been a member of the Communist Party in the course of the last 5 years, basing his declination on the ground that his answer might tend to incriminate him.

Jesse E. Prosten, who had been identified as a member of the Communist Party in the instant hearings by Mr. Carl Nelson and Mr. Joseph A. Poskonka, appeared in response to a subpoena and testified that he was an international representative for the United Packinghouse Workers of America. Mr. Prosten denied current membership in the Communist Party but refused to answer whether he had been a member of the Communist Party at any time within the course of the last 5 years, basing his refusal on the ground that his answer might tend to incriminate him.

COMMUNIST INFILTRATION OF VITAL INDUSTRIES AND CURRENT COMMUNIST TECHNIQUES IN THE CHICAGO, ILL., AREA

TUESDAY, MAY 5, 1959

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Chicago, Ill.

PUBLIC HEARINGS

A subcommittee of the Committee on Un-American Activities met, pursuant to notice, at 10 a.m., in courtroom 209, United States Court-house, 219 South Clark Street, Chicago, Ill., Hon. Morgan M. Moulder (subcommittee chairman) presiding.

Subcommittee members present: Representatives Morgan M. Moulder, of Missouri; Edwin E. Willis, of Louisiana; and August E. Johansen, of Michigan.

Staff members present: Richard Arens, staff director, and Raymond T. Collins, investigator.

Mr. MOULDER. The subcommittee will be in order.

The hearings which begin today in Chicago are in furtherance of the powers and duties of the Committee on Un-American Activities, pursuant to Public Law 601 of the 79th Congress, which not only establishes the basic jurisdiction of the committee, but also mandates this committee, along with other standing committees of the Congress of the United States, to exercise continuous watchfulness of the execution of any laws, the subject matter of which is within the jurisdiction of the committee.

In response to this power and duty, the Committee on Un-American Activities is continuously in the process of accumulating factual information respecting Communists, the Communist Party, and Communist activities which will enable the committee and the Congress to appraise the administration and operation of the Smith Act, the Internal Security Act of 1950, the Communist Control Act of 1954, and numerous provisions of the Criminal Code relating to espionage, sabotage, and subversion. In addition, the committee has before it numerous proposals to strengthen our legislative weapons designed to protect the internal security of this Nation.

I shall now read the resolution of the Committee on Un-American Activities, authorizing and directing the holding of the instant hearings here in Chicago.

Be it resolved, That hearings by the Committee on Un-American Activities or a subcommittee thereof, to be held in Chicago, Ill., and at such other place or places as the Chairman may indicate, on such date or dates as the Chairman

may determine, be authorized and approved, including the conduct of investigations deemed reasonably necessary by the staff in preparation therefor, relating to the following matters and having the legislative purposes indicated:

1. The extent, character and objects of Communist infiltration and Communist Party propaganda activities in labor unions within the area of Chicago, the legislative purposes being:

(a) To obtain information for use by the Committee in its consideration of a proposal to amend Section 4 of the Communist Control Act of 1954, prescribing a penalty for knowingly and willfully becoming or remaining a member of the Communist Party with knowledge of the purposes or objectives thereof; and

(b) To obtain additional information adding to the Committee's overall knowledge on the subject so that Congress may be kept informed and thus prepared to enact remedial legislation in the national defense and for internal security, when and if the exigencies of the situation require it.

2. Communist techniques and strategy in the raising of funds for the benefit of the Communist Party, the legislative purpose being to determine whether a recommendation should be made tightening the laws relating to tax exemption which labor unions enjoy, and for the additional reasons set forth in items 1 (a) and (b) of this resolution.

3. The execution by the administrative agencies concerned of the Internal Security Act, the Communist Control Act of 1954, the Foreign Agents Registration Act, and all other laws, the subject matter of which is within the jurisdiction of the Committee, the legislative purpose being to exercise continuous watchfulness of the execution of these laws to assist the Congress in appraising the administration of such laws, and in developing such amendments or related legislation as it may deem necessary.

Be it further resolved, That the hearings may include any other matter within the jurisdiction of the Committee which it, or any subcommittee thereof appointed to conduct this hearing, may designate.

I shall now read the order of appointment of the subcommittee to conduct these hearings which was made by the chairman of the full committee, the Honorable Francis E. Walter, of Pennsylvania:

APRIL 28, 1959.

To: Mr. Richard Arens
Staff Director
House Committee on Un-American Activities

Pursuant to the provisions of the law and the rules of this Committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Representatives Edwin E. Willis and August E. Johansen, as associate members, and Representative Morgan M. Moulder, as Chairman, to conduct hearings in Chicago, Illinois, Tuesday, May 5, 1959, at 10:00 a.m., on subjects under investigation by the Committee and take such testimony on said day or succeeding days, as it may deem necessary.

Please make this action a matter of Committee record.

If any Member indicates his inability to serve, please notify me.

Given under my hand this 28th day of April 1959.

(s) Francis E. Walter
Chairman
Committee on Un-American
Activities

These hearings in Chicago are in furtherance of a project of this committee on current techniques of the Communist conspiracy in this Nation. We know that the strategy and tactics of the Communist Party are constantly changing for the purpose of avoiding detection and in an attempt to beguile the American people and the Government respecting the true nature of the conspiracy.

Preliminary investigations conducted by the staff indicate that a principal concentration point of Communists in the Chicago area is the packinghouse industry which is vital not only the economy of this area but is essential in the maintenance of a strong national

defense. Those of us who through the years have been engaged in the work of the Committee on Un-American Activities are obliged, from our experience, to conclude that there is no easy answer or quick solution to the many problems created by the Communist fifth column in our country. We must constantly keep abreast of the changing strategy and tactics of the Communist Party so that we may have factual information for our legislative purposes.

In the course of the last few years, as a result of hearings and investigations, this committee has made over 80 separate recommendations for legislative action. Legislation has been passed by the Congress embracing 35 of the recommendations, and 26 separate proposals are currently pending in the Congress on subjects covered by other committee recommendations. Moreover, in the course of the last few years numerous recommendations made by the committee for administrative action have been adopted by the executive agencies of our Government.

Today the Communist Party, though reduced in size, continues as a serious threat to the security of our Nation. It has long since divested itself of unreliable elements. Those who remain are the hard-core, disciplined agents of the Kremlin on American soil. Most of the Communist Party operation in the United States today consists of underground, behind-the-scenes manipulations.

What techniques are the hard-core Communists pursuing here in order to avoid detection as they pursue their nefarious work?

What loopholes or weaknesses exist in our security laws?

How can those laws be strengthened?

These are some of the questions I hope to have answered.

The objective of our subcommittee during this brief stay in Chicago is to sample factual material on types and patterns of activity germane to the scope of our inquiry. We have not subpoenaed witnesses here at random nor shall we attempt to exhaust the subject matter. To do so would require a disproportionate amount of time, both of the staff and of the subcommittee to the detriment of other equally important projects which are presently in process elsewhere in the United States.

We seek only the facts. Insofar as it is within the power of this committee, as part of the United States Congress, we shall obtain the facts and we shall do so within the framework of carefully prescribed procedures, adopted by this committee, of justice and fair play as provided by the law of our land.

It is a standing rule of this committee that any person identified as a member of the Communist Party during the course of the committee hearings will be given an early opportunity to appear before this committee, if he so desires, for the purpose of denying or explaining any testimony adversely affecting that person. It is also the policy of the committee to accord any witness the privilege of being represented by counsel to advise him; but within the provisions of the rules of this committee, counsel's sole and exclusive prerogative is to advise his client in a legal fashion.

I would remind those present that a disturbance of any kind or an audible comment during the hearings will not be permitted. This is a serious proceeding in which we are earnestly trying to discharge an important and arduous duty with the general objective of main-

taining the security and the American way of life of this great Nation.

Do you have comments to add to that, Mr. Willis?

Mr. WILLIS. Mr. Chairman, you refer to the rules of the committee. It might be interesting to know, I think this is the one committee that operates under very enlightened and comprehensive rules. I have a copy here and the very last provision of the rules is that all witnesses appearing before the committee shall be furnished with a copy of the printed rules, and so on. The rules are available to the press, counsel, and to anybody who wants to see them.

Mr. MOULDER. Mr. Johansen.

Mr. JOHANSEN. The only comment I would like to make, Mr. Chairman, is that I am very happy to have the chairman and my colleague from Louisiana very clearly and emphatically set forth the fact that we do operate by prescribed rules, with the full regard for the rights of the witnesses. I think it is particularly timely, particularly important to have that emphasized because of the evident misinformation that seems sometimes to be promulgated from other presumably responsible sources. I associate myself completely with the statement of the chairman and of Mr. Willis.

Mr. MOULDER. Thank you, gentlemen.

Now, Congressman Walter, the chairman of the full committee of the House Committee on Un-American Activities, has requested that I read the following letter addressed to him by Ralph Helstein, president of the United Packinghouse Workers of America, an AFL-CIO union. The letter is dated May 1, 1959, and he has requested that I read this letter before the beginning of the hearing and insert the letter into the record.

The letter is as follows:

Honorable Francis E. Walter
Chairman, House Committee on Un-American Activities
House Office Building
Washington 25, D.C.

Dear Sir:

In view of the fact that the House Committee on Un-American Activities has subpoenaed some present or former members of our union to appear at your sessions on May 5, 6 and 7, we have felt it appropriate to transmit to you a brief statement of the position of our union.

We represent, as you are perhaps aware, over 100,000 employees in the meat packing industry and others in related industries. If you are familiar with the history of the meat-packing industry, you know it as one with the history of back-breaking labor and oppressive, soul-searing working conditions which earned for it the designation "the jungle."

In the two decades since we came into existence, we have written a proud history of our own. We have built a record of economic improvement for packinghouse workers, and we have built a genuinely democratic union, widely respected for its honesty and integrity and one which is, we are convinced, free of outside influence, Communist or any other. We hold a respected position in the ranks of labor and in the communities in which our members reside.

We are particularly proud of our status in the Negro communities of the nation. A relatively substantial proportion of our membership is Negro and our union has evidenced its special interest in and concern with the problems of the Negro people. Negro leaders have risen, on their merits, to positions of importance in our ranks, and we have applied our energies actively to the task of eliminating discriminatory practices in American life.

In this history of achievement, many, many people have played their roles—thousands of rank and file members, local, district and national officers and

staff employees. Those individuals included among your subpoenaed witnesses who presently hold district or local office or who are currently on our field staff are among those who are recognized by our membership as having made, over many years, unselfish and consistent contributions to the growth and performance of our union. So far as their records of performance show, they have passed the test of service to the needs of our members—organization of the unorganized, negotiation of contract improvements, honest and effective grievance presentation.

Our union was born in the midst of the distress and disillusion of the depression and post-depression years of the 1930's and 1940's. In the light of the background of the industry, the economic and social tensions of the times and the bitter opposition of the packing companies to our efforts at organization and improvement of conditions, it would have been strange indeed if among the packinghouse workers there were none who turned to one or another of the utopian panaceas held out from various sources to the disillusioned: communism, socialism, technocracy, single-tax programs, and all the rest.

Before our union was very old, therefore, it was faced with a fundamental choice of procedures. It could have embarked upon a program that might have led to bitter internal conflict, diverting energies urgently needed for the task of providing economic improvements for the packinghouse workers. Our membership developed a different program, one which we believe to be in the best traditions of our nation. There was never the slightest question or possibility of yielding control to a Communist group or any other ideology. But we felt that the challenge of Communism could best be met not by a civil war certain to blunt the union's collective bargaining effectiveness, but by demonstrating that a positive and democratic brand of unionism would produce results, thereby defeating the attractions of Communism by undercutting its ground.

We believe our program was right for the packinghouse workers. We know that it worked.

Our union has, over the years, established its position on Communism. Our union is firmly on record in its opposition to Communism—and all similar forms of authoritarian doctrine. Our union has adopted as official policy the AFL-CIO Ethical Practices Codes. No member of the Communist Party is or will be permitted to hold elective or appointive position in our union. For the implementation of this policy, the union has established, from its Executive Board, a committee to investigate situations involving possible violation of these Codes and a Public Review Commission of disinterested, prominent citizens, to assure that our procedures are effective to maintain integrity and democracy in our union.

The path by which we reached our present position may not be the one which others have followed or would have prescribed. Perhaps members of your Committee would disagree as to our choice of paths—and we respect their right to disagree. We ask only the same respect for our right to our opinion as to the rightness of our course. We firmly believe that the result in our union proves that our forefathers' faith in the principles of the Bill of Rights was well founded.

In enforcing our policies today, we are, of course, concerned with the present and the future. We do not feel that we serve any useful purpose by seeking to dredge up the muck of a dead past. If there are in our ranks persons with a Communist past, their present adherence to the democratic principles of our union represents a symbol of the victory of democratic philosophy over totalitarianism, and we see no purpose in placing them in the public pillory.

In our enforcement of our policies, we will, of course, give appropriate consideration to relevant evidence presented to your Committee as we would to similar evidence from any source. It is an unfortunate fact, however, that your Committee's decision to conduct these hearings happens to coincide in time with certain other developments.

A rejected and disgruntled former officeholder has been engaged in an effort to revive the long dead Communist issue, as it affects our union, in what appears to us to be a frantic effort, unquestionably doomed to failure, to foist himself back on to a membership which has rejected him. There is also some evidence which suggests that he is acting for another union which is suspected of having hopes of gobbling up the membership of our organization. Finally, your hearings happen to come at a time when we are about to enter upon negotiations with the major packing companies, as the current three year term of contracts through-

out the industry approaches expiration. Pressing problems of plant shut-downs, mass layoffs, technological unemployment, inadequate pension and severance pay clauses, and many others claim the attention of our members and leaders. The sudden revival of long dead issues obviously plays into the hands of the packing companies.

Under these circumstances, you will understand, I am sure, the feeling among many of our members that your hearings, may, without any such intent on your part, serve to aid some few who may wish to create a misleading public impression of our union. We are confident, in all frankness, that our record of performance in the public interest is so clear and so well understood by those most directly concerned, that our union's public stature will readily withstand any such attack.

Very truly yours,
(s) Ralph Helstein, President.

Chairman Walter requested that his comments as follows also be read and inserted into the record:

1. There is no intention on the part of the House Un-American Activities Committee, to interfere in any way, or on either side, with any negotiations between the union and employers. In this connection I wish to point out that these investigations are in no way directed at the United Packinghouse Workers of America, as a union, or at its officers, as such.

2. While it is true, as Mr. Helstein pointed out, that this Committee may well differ with the methods followed by the union to eliminate Communists, nevertheless, the Committee welcomes the unequivocal assertion by the President of the union that the union is firmly on record in its opposition to Communism and all similar forms of authoritarian doctrine, that "no member of the Communist Party is, or will be permitted, to hold elective or appointive position" in the union and that a procedure involving a review by a public review commission of disinterested prominent citizens has been established to assure that this policy is being implemented. In these circumstances I am hopeful that any information adduced by this Committee concerning Communists holding elective or appointive position in the union will receive the full consideration of the union and the public board established by it.

That concludes Chairman Walter's statement. I wish to apologize for taking so much time reading all these statements but I was requested by the chairman to place the letter and his statement in the record as well as our opening statement.

Do you wish to add any other matter before we call the witnesses?

Are you ready to proceed?

Mr. ARENS. Yes, sir.

Mr. MOULDER. Call your first witness.

Mr. ARENS. Mr. Carl Nelson, kindly come forward and remain standing while the chairman administers an oath.

Mr. MOULDER. Will you raise your right hand and be sworn, please?

Do you solemnly swear that the testimony you are about to give before the subcommittee of the Committee on Un-American Activities will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. NELSON. I do.

Mr. MOULDER. Be seated.

TESTIMONY OF CARL NELSON

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. NELSON. Carl Nelson, 3093 West North Avenue. I am in the heating business.

Mr. ARENS. Mr. Nelson, have you ever been a member of the Communist Party?

Mr. NELSON. I have.

Mr. MOULDER. May I suggest that the loud speaking apparatus be placed closer to him because with the fans going you can't hear without using that speaking system.

Mr. NELSON. I have.

Mr. ARENS. Have you, in addition to being a member of the formal entity known as the Communist Party, likewise been a participant in the Communist operation?

Mr. NELSON. I have.

Mr. ARENS. Tell us, first of all, the period of your membership in the Communist Party.

Mr. NELSON. From 1934 through 1949.

Mr. MOULDER. Can you bring that closer to him?

Mr. ARENS. Would you kindly speak into the microphone here? The acoustics are rather poor.

Mr. NELSON. From 1934 through 1949.

Mr. ARENS. After your severance with that entity known as the Communist Party, did you then stay in the Communist operation?

Mr. NELSON. I did up until about '54 or '55.

Mr. ARENS. Mr. Nelson, so that the record may be clear at this point, were you ideologically in sympathy with the Communist Party, were you in truth and fact a Communist?

Mr. NELSON. I was.

Mr. ARENS. You were not an undercover agent of the Federal Bureau of Investigation as were some persons?

Mr. NELSON. No, I wasn't.

Mr. ARENS. Now, before we proceed further so that we may keep your testimony in perspective, may I inquire what distinction do you as a person who has served for many years in the formal entity known as the Communist Party and likewise who has served until the course of the last few years in the Communist operation, what distinction do you make between the Communist Party as a formal entity and the Communist operation in the United States?

Mr. NELSON. Well, there is no difference in it. Its different organizations are under the control of the Communists. They are all leading Communists that are heading these organizations.

Mr. ARENS. During the period in 1948 of the passage in the 80th Congress of amendments to the National Labor Relations Act, requiring certain officials to sign non-Communist affidavits, to your certain knowledge, did certain people resign from the formal entity known as the Communist Party and maintain themselves in the Communist operation?

Mr. NELSON. They did.

Mr. ARENS. Did they do that so that they could take a non-Communist affidavit in order to avoid the impact of the then existing law?

Mr. NELSON. That is right.

Mr. ARENS. Now, Mr. Nelson, I expect in the course of the testimony here to probe with you into your own operations, and I expect to elicit from you a pattern of Communist activity in which you and others have engaged, to your certain knowledge, in this area. But in

order to keep your testimony in perspective at the moment I should like to ask you, based upon your extensive service in the formal entity known as the Communist Party plus your extensive service until recently in the Communist operation, how serious is the Communist menace in this area to your certain knowledge as of now?

Mr. NELSON. It is more serious now than it ever was before, because at this time although most of the people are not formally in the party still they maintain their Marxist-Leninist philosophy and they are in the leadership of various unions throughout the State of Illinois. I would say it is definitely in a better position today than they ever were.

Mr. ARENS. Mr. Nelson, has the Communist operation and the Communist Party, being a part of the operation, to your certain knowledge penetrated the meatpacking industry in the greater Chicago area?

Mr. NELSON. Saturated it.

Mr. ARENS. Now, Mr. Nelson, why has the Communist Party emphasized a penetration of the meatpacking industry in this greater Chicago area?

Mr. NELSON. Well, if this country was ever to go to war, an army has to travel on its stomach, and they would be in an excellent position to cut off food for the Armed Forces.

Mr. ARENS. Is the Communist Party a political party or is it a conspiracy?

Mr. NELSON. From my experience it is a conspiracy.

Mr. ARENS. Mr. Nelson, before we proceed with your personal history in the Communist Party, I should like to display to you a leaflet, which was one of several that was distributed in front of this building here this morning by pickets of a Chicago Committee to Defend Democratic Rights. As we entered this building this morning stretching for at least three-quarters of a block carrying signs was a group known as the Chicago Committee to Defend Democratic Rights, and it has various bulletins it disseminated on the street corner there. Mr. Collins of the committee staff will now display to you a copy of a bulletin, and I should like to invite your attention to the names of the officers who appear as the leaders of this Chicago Committee to Defend Democratic Rights. Would you kindly read those names off?

Mr. NELSON. Leon Katzen, formerly was the section organizer of the Communist Party on the northwest side. Richard Criley was a member of the section committee of the Communist Party of the packing-house industry.

Mr. ARENS. Mr. Nelson, so there may be no question on this record, do you here and now while you are under oath identify Mr. Katzen and Mr. Criley as persons who, to your certain knowledge, while you were a member of the Communist Party, were in the Communist Party?

Mr. NELSON. I do.

Mr. ARENS. Mr. Chairman. I respectfully suggest that the document which has now been displayed to the witness be appropriately marked and be incorporated in the body of the record.

Mr. MOULDER. As requested by counsel the document will be appropriately marked and inserted as a part of the record.

(Document marked "Nelson Exhibit No. 1" follows:)

NELSON EXHIBIT No. 1

Chicago Committee to Defend Democratic Rights

189 West Madison St., Suite 811
Chicago 2, Ill. (De 2-7142)

LEGISLATIVE BULLETIN

HOUSE UN-AMERICAN ACTIVITIES COMMITTEE CHICAGO HEARING
SET FOR MAY 5-6

The Un-Americans are at it again! Two groups of Chicago unionists have been subpoenaed to appear before it on May 5 and 6. They include members and former members of the United Packinghouse Workers of America and of Local #113 (Tool and Die) of the International Association of Machinists. Additional unionists may still be called at a later date.

It is clear that the House Un-American Activities Committee hearing is a direct intervention into the internal affairs of labor.

The House Committee (whose general mandate to function was questioned by the U.S. Supreme Court) has no specific authorization from Congress to conduct such a hearing as that scheduled here. It is evident, also, that there can be no legitimate legislative purpose for this hearing. On both counts, the entire hearing is patently illegal, on the basis of the Supreme Court decision in the Watkins case (which stated that the Committee has no right to expose "for sake of exposure").

Chairman Walter's public statement that the hearing is for the purpose of "investigating subversive infiltration" into defense industries is camouflage for a flagrant attack on unions and the constitutional rights of American workers. It will be recalled that the last "labor investigation" of the Committee in this area was in 1952 when it was timed to disrupt the strike of International Harvester workers and the negotiations for a new contract in the meat packing industry.

The House Committee has just completed witch-hunt against labor in the Pittsburgh area. In February in Los Angeles under guise of investigating "legal subversion", it unfolded an attack on defense attorneys in civil liberties cases, and on the constitutional right to be represented by counsel. In Atlanta, Georgia, last year, the Committee was denounced by over 200 prominent Negro leaders in the South for "trying to attach the 'subversive' label to any liberal white Southerner who dares to raise his voice in support of our democratic ideals."

The recent actions of the House Un-American Activities Committee are the most potent argument for its abolition, and the cutting off of all further appropriations. (For 1959, it has already been voted \$327,000 by the House of Representatives).

RECOMMENDATIONS FOR ACTION

1. Write your Congressman to support the bill introduced by Representative James Roosevelt to abolish the House Un-American Activities Committee.

2. See and judge for yourself by attending the hearing on May 5 and 6 at the Federal Building (Old Post Office), Clark and Adams Sts.

Sincerely yours,

(S) Leon Katzen,
LEON KATZEN,
Chairman.
(S) Richard Criley,
RICHARD CRILEY,
Executive Secretary.

P.S.—We depend on your contributions to continue our activity.

Mr. MOULDER. May I inquire of the witness, when you answer the question regarding definite identification of these people as being members of the Communist Party, on what do you base your assertion that they were members of the Communist Party?

Mr. NELSON. Well, Leon Katzen was the section organizer on the northwest side. I attended numerous, too numerous to mention,

meetings with him, not only of the section committee, but the 34th Ward Branch of the Communist Party, and district meetings and too many meetings to mention, and likewise with Richard Criley.

Mr. MOULDER. You were personally associated with them at these meetings you have mentioned?

Mr. NELSON. That is right.

Mr. MOULDER. At different times?

Mr. NELSON. That is right.

Mr. ARENS. Have you served in closed Communist Party meetings with Leon Katzen and Richard Criley?

Mr. NELSON. Definitely.

Mr. ARENS. The chairman and executive secretary, respectively, of the Chicago Committee to Defend Democratic Rights?

Mr. NELSON. Definitely.

Mr. MOULDER. In order to clarify the record on another point, you mentioned awhile ago that the union was saturated. That was in response to a question asked you by counsel. The industry was saturated, is that right?

Mr. NELSON. Saturated.

Mr. MOULDER. To what period of time are you referring?

Mr. NELSON. I am referring to the time from '43 up until now.

Mr. MOULDER. You are still actively associated with the organization?

Mr. NELSON. Not since '55, no.

Mr. MOULDER. Proceed, Mr. Arens.

Mr. ARENS. Now, Mr. Nelson, with that general perspective of your testimony, may I ask you, first of all where and when did you first associate yourself with the Communist Party?

Mr. NELSON. It was in 1934 I attended a school that they had set up on Chicago Avenue near Springfield.

Mr. ARENS. Was this a Communist training school?

Mr. NELSON. This was a Communist training school, yes.

Mr. ARENS. Would you kindly, at your own pace, without at the moment telling us about other persons who were actively engaged in the conspiracy, tell us the sequence of the identifications which you had within the various units of the Communist operation in the greater Chicago area?

Mr. NELSON. Well, I was recruited in 1934 in December by Norman Jay and was assigned to Unit 5-10. At that time they called the different sections of the party by numbers like Section 5, Unit 10. It means I belonged to Section 5 and Unit 10. And I also became, in 1935, a member of the section committee of Section 5 engaged in work with the Daily Worker. And in 1935 I attended a party training school at 1628 West Division Street.

Mr. ARENS. Is there any doubt in your mind, based upon the teachings which you received at the Communist Party training school, but that the Communist Party and the Communist operation in the United States is a fifth column on American soil?

Mr. NELSON. Correct. I believe it is.

Mr. ARENS. Would you kindly proceed with your career in the Communist operation?

Mr. NELSON. Well, in 1940, I was working at the American Excelsior Co. on Halsted Street, and Mannie Bornstein called me and

told me to come down and see him. He was employed at that time with the Government employment service and he told me to go to work at Armour & Co. and he gave me a referral.

Mr. ARENS. Who was Mannie Bornstein?

Mr. NELSON. He was a member of the party, a former section organizer out in Cicero. He ran for mayor of Cicero at one time. I believe it was in 1932.

Mr. ARENS. All right, sir. Did you at his direction go to Armour & Co.?

Mr. NELSON. I did.

Mr. ARENS. What did you do there?

Mr. NELSON. Well, first meeting I had before I got into the Armour branch, I had a meeting with Les Orear, Jane March, Dave Mates, and Joe Bezenhoffer at Forum Hall.

Mr. ARENS. Pause there for a moment. Do you here and now, while you are under oath, identify each and every one of those persons whose names you just called off, as persons who, to your certain knowledge, were members of the Communist Party?

Mr. NELSON. I do.

Mr. ARENS. Was there a Communist Party tentacle or branch at Armour & Co.?

Mr. NELSON. There was.

Mr. ARENS. All right, sir. Proceed, if you please, now to the next operation which you were engaged in. We will come back in a few moments to the actual operation itself.

Mr. NELSON. In 1943 I got fired out of Armour and I went to Swift.

Mr. ARENS. Was that because of Communist Party activities that you were fired from Armour?

Mr. NELSON. It was. Then from Swift I went to——

Mr. ARENS. Excuse me a moment. While you were at Swift, were you engaged as a comrade in Communist Party operations?

Mr. NELSON. I didn't belong to the Swift branch, no.

Mr. ARENS. Was there a branch at Swift?

Mr. NELSON. Yes, there was.

Mr. ARENS. Of the Communist Party?

Mr. NELSON. Yes, sir.

Mr. ARENS. All right, sir. Proceed, if you please.

Mr. NELSON. From there I went to Wyckoff Steel.

Mr. ARENS. When did you go to Wyckoff Steel Co.?

Mr. NELSON. In July of 1943.

Mr. ARENS. Did you engage in Communist Party operations there?

Mr. NELSON. No, I engaged in union activities. I met a party member there, Ray Cerda.

Mr. ARENS. Was there a cell of the Communist Party there?

Mr. NELSON. No.

Mr. ARENS. All right, sir, your next activity.

Mr. NELSON. I went to work with the Aluminum Corp. of America.

Mr. ARENS. When?

Mr. NELSON. That was in 1948. And there I met Blanche Born, who was a member of the party. There was no cell there to my knowledge. And from there I went and got a release and tried to get a job at a higher skill, and I went over to the union hall, and Herb March told me to try to get a job in one of the small houses. That I

attempted and didn't meet with success and I stopped in the employment office at Wilson & Co. and asked if they were hiring pipe coverers, and they called out to the shop foreman, and I got a job as a pipe coverer in Wilson & Co.

Mr. ARENS. Was there a tentacle or branch or unit of the Communist Party at Wilson & Co.?

Mr. NELSON. There was a branch there. I was told to see Joe Zabritski, the party man at Wilson Co.

Mr. ARENS. Did you see him?

Mr. NELSON. I did.

Mr. ARENS. Do you here and now identify him as a person who, to your certain knowledge, was a member of the Communist Party?

Mr. NELSON. I do.

Mr. ARENS. Did you serve in closed Communist Party meetings with him?

Mr. NELSON. Numerous ones.

Mr. ARENS. Give us the next entity with which you were connected in Communist operations.

Mr. NELSON. I became a member of the section committee there.

Mr. ARENS. Section committee of the Communist Party?

Mr. NELSON. Of packing; that is right.

Mr. ARENS. It was the packing fraction of the Communist Party, was it not?

Mr. NELSON. It was the entire section, which was composed of leading people from different plants in the packing industry.

Mr. ARENS. Was it a Communist operation?

Mr. NELSON. It was.

Mr. ARENS. All right, sir. Now, your next operation, please, sir?

Mr. NELSON. I was in charge of the Daily Worker and the press in the Wilson Co.

Mr. ARENS. Do you mean in charge of the dissemination or distribution of the Daily Worker?

Mr. NELSON. Distribution, sales promotion, and so forth.

Mr. ARENS. Your next operation, please, sir?

Mr. NELSON. Well, after 1948 I was fired out of the plant.

Mr. ARENS. Was that for Communist operations?

Mr. NELSON. Yes. They refused to take myself and another fellow back. Then I was——

Mr. ARENS. Who was the other fellow?

Mr. NELSON. Sam Parks.

Mr. ARENS. Was he, to your certain knowledge, a member of the Communist Party?

Mr. NELSON. He was.

Mr. ARENS. Did you serve in closed Communist Party meetings with him?

Mr. NELSON. I did.

Mr. ARENS. Do you here and now, while you are under oath, say without equivocation he was a Communist?

Mr. NELSON. I do.

Mr. ARENS. All right, sir. Would you kindly proceed to your next connection?

Mr. NELSON. From there I got a job down at UE as custodian of the building. I believe it was from October 1948 until, I think it was February '49.

Mr. ARENS. Did you serve in closed party meetings with him?

Mr. NELSON. With who?

Mr. ARENS. Parks.

Mr. NELSON. Oh, yes. Numerous meetings.

Mr. ARENS. All right, sir. Now you have in the sequence of events of your career in the Communist operation gotten up to the point where you were connected with the UE. That is the United Electrical Workers Union, is it not?

Mr. NELSON. That is correct.

Mr. ARENS. Give us a word about that, please, sir.

Mr. NELSON. I quit there, and I got a job in G. H. Hammond as a pipe coverer. And G. H. Hammond, they asked me to accept an office in the union when the elections came around, which I did. I believe it was outside guard or inside guard in the union. And I was selected by Walter Price Co. to go to the founding convention of the National Negro Labor Council.

Mr. ARENS. Where was that?

Mr. NELSON. That was held in Cincinnati.

Mr. ARENS. When was that?

Mr. NELSON. I believe that was 1952.

Mr. ARENS. Was that a Communist operation?

Mr. NELSON. It was.

Mr. ARENS. Was it controlled by the Communist conspiracy?

Mr. NELSON. It was.

Mr. ARENS. All right, sir. Your next participation in the Communist operation?

Mr. MOULDER. Can you explain in what respect, how it was, and upon what you base your statement?

Mr. NELSON. In the National Negro Labor Council?

Mr. MOULDER. Tell us why you draw that conclusion when you make such a statement.

Mr. NELSON. The entire leadership in the Chicago area was composed of Communists. They were all party members in the leadership of it. And that is the basis of my conclusion.

Mr. ARENS. What was your next connection with the Communist operation?

Mr. NELSON. Richard Criley came to me in 1953—I believe it was 1952, and asked me to serve on the Freedom of the Press Committee, as in the past I had been able to get quite a few subscriptions for the Chicago Star and the Daily Worker, and I accepted. I attended a meeting at 5457 Chicago Avenue, where this was held, and I was elected onto the executive committee of the Freedom of the Press Committee.

Mr. ARENS. Was the Freedom of the Press Committee controlled by the Communist conspiracy?

Mr. NELSON. It was.

Mr. ARENS. Can you, in similar fashion to your response to the question of the chairman of this subcommittee, tell us why you have reached that conclusion?

Mr. NELSON. Well, the purpose of the committee was to raise funds for the Daily Worker, to get subscriptions for it, and in general build up the Daily Worker and Sunday Worker.

Mr. ARENS. Did the leadership of the Freedom of the Press Committee consist of persons known by you to be Communists?

Mr. NELSON. It did.

Mr. ARENS. What caused your disassociation from the Communist operation?

Mr. NELSON. Well, I seen the way people had lied to me and I didn't like the way I was handled by Jim Keller. Then I went in business for myself, and I didn't have any time to fool around with it.

Mr. ARENS. Now, did the Communist Party, while you were in the operation, undertake to govern your personal life?

Mr. NELSON. Well, when the strike was over, we were getting a little money from the union and I was cut off and my wife called the union hall and threatened to send a picket line down there with the children, and a special meeting of the party was called of the Wilson workers where Jim Keller told me I had to make a choice between my wife and the union. And it was a meeting that night of the union where we went, and nothing was said about what had taken place. So that was one of the factors that led to me getting out of the party.

Mr. ARENS. Now, Mr. Nelson, may I invite your attention to persons known by you, to a certainty, to be members of the Communist Party during your career in the party. Where would you like to start? Would you like to start with the packinghouse workers fraction?

Mr. NELSON. Yes.

Mr. ARENS. And give us the date, please, sir.

Mr. NELSON. Well, from 1941 on, I knew Jesse Prosten to be a member of the party, was in hundreds of meetings with him.

Mr. ARENS. Would you pause as you give us information respecting each person who was, to a certainty, known by you to be a member of the Communist Party? And I admonish you now, as I have admonished you in private conversations, while you are under oath here and now to testify with respect to only those persons who, to your certain knowledge, were members of the Communist Party. Now give us a word about Jesse Prosten. Is this J-e-s-s-e P-r-o-s-t-e-n?

Mr. NELSON. That is right.

Mr. ARENS. All right, sir.

Mr. NELSON. He was on the international union payroll. He was a member of the Armour branch of the Communist Party, and was a member of the section committee, which is the highest body in packing of the Communist Party.

Mr. ARENS. What is his status now in the United Packinghouse Workers of America?

Mr. NELSON. That I don't know.

Mr. ARENS. Mr. Chairman, I should like to announce for the record that we have been making every effort to get Jesse Prosten under subpoena and our security advices from confidential sources lead us to believe that he is evading subpoena and is now hiding out in the southeastern part of the United States. We will continue until we do get him under subpoena.

Mr. NELSON. Les Orear.

Mr. ARENS. Let us be sure we have his name spelled properly.

Mr. NELSON. Yes. O-r-e-a-r.

Mr. ARENS. Les is his first name?

Mr. NELSON. Leslie Orear, yes.

Mr. ARENS. Give us a word about him.

Mr. NELSON. The first meeting I had before getting into the Armour branch was a meeting held in Forum Hall with Les Orear, Jane March, and Dave Mates, and Joe Bezenhoffer. Les Orear was the section educational director of the Communist Party. He was also a representative of the United Packinghouse Workers of America.

Mr. ARENS. And do you know what his present position is?

Mr. NELSON. That I don't know.

Mr. ARENS. Did you, in the course of your membership in the Communist Party, know as a Communist a person by the name of Charles H. F-i-s-c-h-e-r?

Mr. NELSON. No, I didn't.

Mr. ARENS. You say you did not?

Mr. NELSON. I did not, no.

Mr. ARENS. Would you kindly proceed to give us a word of description about other persons who, to your certain knowledge, were known by you to be members of the Communist Party activity in penetrating the meatpacking industry?

Mr. NELSON. Well, there was Herb March.

Mr. ARENS. Give us a word about him, please.

Mr. NELSON. He proclaimed to the world he was a Communist; attended hundreds of meetings with him.

Mr. MOULDER. Where were the meetings held that you referred to?

Mr. NELSON. The section committee meetings were held at the party headquarters at 4848 South Ashland Avenue. And other meetings that were held throughout the Chicago area, not necessarily section committee meetings, but they were party meetings, say, caucus meetings of delegates and party delegates going to the union conventions, and so forth.

Mr. ARENS. Did you know as a Communist, Leon Beverly?

Mr. NELSON. I did.

Mr. ARENS. B-e-v-e-r-l-y?

Mr. NELSON. I did.

Mr. ARENS. Give us a word about Leon Beverly, if you please, sir.

Mr. NELSON. Leon Beverly was a member of the section committee of the Communist Party, also member of the Armour local, and to the best of my knowledge he was president of the Armour local.

Mr. ARENS. Did you know as a Communist Samuel J. Parks, P-a-r-k-s, Jr.?

Mr. NELSON. I did.

Mr. ARENS. Give us a word about him, please, sir.

Mr. NELSON. Sam Parks was a member of the Wilson branch of the Communist Party, was a member of the section committee of the Communist Party, and was sent to Europe by Chicago Star, the Communist Party paper.

Mr. ARENS. Do you know what his present occupation is?

Mr. NELSON. As far as I know he runs a gas station.

Mr. ARENS. Did you know as a Communist a man by the name of Jack Souther, S-o-u-t-h-e-r?

Mr. NELSON. Yes, I did.

Mr. ARENS. Would you give us a word about him, please, sir.

Mr. NELSON. I attended several meetings with Jack Souther, or numerous meetings I should say, and the last I know of Jack was that he was working in the district office. Just what his function is, I don't know.

Mr. ARENS. District office of what?

Mr. NELSON. The United Packinghouse Workers.

Mr. MOULDER. This gentleman was sent to Europe by the Chicago Star, you say?

Mr. NELSON. Yes; which was a Communist paper.

Mr. ARENS. Do you know the purpose of his journey to Europe?

Mr. NELSON. It was to further enhance his political education.

Mr. MOULDER. Where in Europe, do you know?

Mr. NELSON. He went to London, France, Poland, and Czechoslovakia. I don't know all the different places he went there. But I know some of them.

Mr. MOULDER. You say he went there to enhance his Communist Party education?

Mr. NELSON. The party sent him there. They were sort of disappointed. They get a report every day about Sam and, according to them, all he was doing was enjoying himself in Paree. But that was the purpose of them sending him there.

Mr. ARENS. What year was he sent to Europe?

Mr. NELSON. That was, I believe in 1947 or 1946.

Mr. ARENS. Did you know as a Communist a person by the name of Gloria Wailes?

Mr. NELSON. Yes; I did.

Mr. ARENS. Give us a word about her, please, sir.

Mr. NELSON. She worked for the Wilson local office as the office girl; she did typing, took care of the files, and promoted the Daily Worker. I attended several meetings with her; was a member of the National Negro Labor Council.

Mr. MOULDER. I am sorry, Mr. Arens, to interrupt. But I am sure the committee is interested in the point the witness brought out about enhancing the Communist Party political education by sending that man to Europe. Do you know of other instances where that has been done? Is it a general policy or rule or a program on the part of the Communist Party organizations throughout this country to occasionally send or designate some person to go to Europe for instructions from Communist Party leaders over there in the countries you have referred to.

Mr. NELSON. They sent another fellow from the Swift local by the name of Charley Proctor. They sent him to Russia. So they don't openly state that is the purpose of it. But that is what takes place.

Mr. MOULDER. The point I am trying to arrive at is direct evidence which shows that there is a direct connection between the Communist Party as it exists here in this country and the international Communist Party conspiracy referred to by our counsel, Mr. Arens; that there is a constant negotiation and contact with the Communist Party leaders in Russia, with those Communist Party leaders in other countries, and in turn with the Communist Party leaders in this country. Is that so?

Mr. NELSON. There is a connection because how would we get reports every day? Bill Cerda used to give us a report of what Sam was doing in Poland, what he was doing in France, what he was doing in Czechoslovakia, or what he was doing in London. We used to get them daily from Bill Cerda.

Mr. MOULDER. That is my purpose for bringing that out. I think it is very important.

Mr. JOHANSEN. When you say you received these reports daily, were those received at meetings or in individual conferences or what?

Mr. NELSON. These were given to leading people in the Communist Party in the section who, in turn, would relay them to people that were directly connected with—

Mr. JOHANSEN. Who was the individual, Cerda, you say was the source of the reports?

Mr. NELSON. Bill Cerda.

Mr. ARENS. Did you know as a Communist, Joseph Zabritski? Z-a-b-r-i-t-s-k-i?

Mr. NELSON. Yes, I do.

Mr. ARENS. Give us a word about him, please, sir.

Mr. NELSON. Well, when I went to work in Wilson, Jesse Prosten told me to contact Joe Zabritski who was the party man in Wilson & Co., which I did. I attended hundreds of meetings with Zabritski, paid my dues to Zabritski. Zabritski was the secretary-treasurer of the Communist Party section and kept all the dues and membership records of the party members.

Mr. ARENS. Did you know as a Communist, Charles A. Hayes, H-a-y-e-s?

Mr. NELSON. Yes, I did.

Mr. ARENS. Give us a word about him, please, sir.

Mr. NELSON. I attended many, many a meeting with Charles Hayes, in 4848 South Ashland, in his home, in my home, in different caucus meetings of party delegates, etc.

Mr. ARENS. To your certain knowledge was Hayes sent to any training school of the Communist Party?

Mr. NELSON. He was.

Mr. ARENS. Where was that conducted?

Mr. NELSON. I believe it was conducted here at 1628 West Division Street.

Mr. ARENS. In what work for the Communist Party was Hayes engaged?

Mr. NELSON. Well Hayes at that time was—

Mr. MOULDER. What time was that?

Mr. NELSON. That was 1946.

It was after the strike. They sent Hayes to school with the hope to build him up because they were afraid they were building a "Frankenstein" in Sam Parks, and they wanted to use Hayes as a buffer against Sam Parks, which they did.

Mr. ARENS. Did you know as a Communist, Rachel, R-a-c-h-e-l, Carter, C-a-r-t-e-r, Ellis, E-l-l-i-s?

Mr. NELSON. I did.

Mr. ARENS. Give us a word about Rachel Carter Ellis, please.

Mr. NELSON. I attended meetings with her, and she worked down at the Daily Worker office on Washington Boulevard, and I used to bring subs in to her, and when I worked with Wyckoff Steel she was in the Local 453 office. I worked with, I think he was her husband, Hilliard Ellis, Hilliard Ellis and Sam Mariani.

Mr. ARENS. Did you know as a Communist a person by the name of Leo Turner, T-u-r-n-e-r?

Mr. NELSON. I did.

Mr. ARENS. Give us a word about Leo Turner, please, sir.

Mr. NELSON. I know Leo Turner from working down at U.E. He used to attend the Trade Union Commission meetings of the party that were held there on a Saturday, or Saturdays, rather. And I know he had gone to Spain.

Mr. ARENS. Did he go to Spain to fight for the Communists?

Mr. NELSON. He belonged to the Abraham Lincoln Brigade.

Mr. ARENS. Did you know as a Communist a person by the name of John Lewis, L-e-w-i-s?

Mr. NELSON. I did.

Mr. ARENS. A word about him, please, sir.

Mr. NELSON. John Lewis used to work at Hammond & Co., and then he was transferred to Swift, when they transferred their slaughtering operation. He was a member of the section committee of the Communist Party, and he was the organizer of the party in Swift & Co.

Mr. ARENS. Did you know as a Communist, Charles Proctor, P-r-o-c-t-o-r?

Mr. NELSON. I did.

Mr. ARENS. Tell us a word about him, please, sir.

Mr. NELSON. Charley Proctor was also a member of the section committee. I was in numerous meetings with him. He was sent to Russia by the party.

Mr. ARENS. For what purpose?

Mr. NELSON. That I don't know.

Mr. ARENS. Did you know as a Communist, Donald H. Smith, S-m-i-t-h?

Mr. NELSON. I did.

Mr. ARENS. Give us a word about him, please, sir.

Mr. NELSON. I met Donald Smith in caucus meetings of party delegates to the convention at Montreal and the convention in Cleveland.

Mr. ARENS. Did you know as a Communist, LeRoy Johnson?

Mr. NELSON. No, I didn't. I know LeRoy Johnson, but I didn't know him as a Communist.

Mr. ARENS. Now, sir, could you give us just a word about the organizational setup of the Communist operation within the greater Chicago area to your certain knowledge?

Mr. NELSON. Well, District 8 takes in the entire State and part of Lake County, Ind., and they have it broken down on a political basis, like senatorial and congressional districts and on a ward basis. And from there each branch has a given concentration on a factory. If it is in the 28th Ward, it would be the railroad industry; or if it is in the 14th Ward it would be packing. But the main concentration in Chicago is packing and steel. And in the period when I was sent to packing, Les Orear told me at that time that the party was really going to colonize in the packing industry.

Mr. ARENS. Was Les Orear known by you to be a member of the Communist Party?

Mr. NELSON. Yes, sir.

Mr. JOHANSEN. Mr. Counsel, excuse me, but as of what date, Witness, are you testifying as to your knowledge of the organizational setup of the Communist Party in the Chicago area?

Mr. NELSON. From 1934 through 1949, and like I say I wasn't in the party, but I was ideologically in sympathy with the party up-

until '54 and '55, and up until that period that is when I knew about this setup.

Mr. MOULDER. Of course, as you know, in past hearings people have been named by witnesses as being members of the Communist Party, and if their names are common names and many other people have the same name, publication of those names sometimes causes embarrassment and reflections upon persons who are in no way whatsoever connected with the Communist Party. Do you know these people whom you named, where they may reside, or some additional identification so they might be distinguished from other persons having the same name?

Mr. NELSON. Well, I don't know where all of them reside. I know where some of them do, and it is possible that since that time they have moved.

Mr. MOULDER. I might add that they will be identified later during the course of these hearings.

Mr. NELSON. That is right.

Mr. WILLIS. And, of course, may I interpose this: Mr. Witness, you are being truthful and testifying at least very freely. Of course, what you have to say covers the period of time that you talked about up to 1954 or '55. Now, you broke with the Communist Party, disassociated yourself from the party about that time, and you cannot go beyond that date as to these witnesses. Is that correct?

Mr. NELSON. Not organizationally, no.

Mr. WILLIS. Not organizationally?

Mr. NELSON. Ideologically, I can, though, because I was a member of the Freedom of the Press Committee, I was a member of the National Negro Labor Council.

Mr. WILLIS. I am talking about up to 1955. I say you have no knowledge of their association or whether they may be members today or might have quit, like you did in 1955. The limit of your testimony goes up to 1955; is that correct?

Mr. NELSON. Well, as far as knowing them organizationally, you can't go beyond 1949; but I know of activity after that.

Mr. WILLIS. I see. Well, of course, our rules permit these witnesses to come forward themselves and to repudiate what you say, or, assuming you have told the truth—and I believe you have—they would have the right to do what you have done and say, "Well, that is correct; I had some association in years past, but I am not connected with the party any more." We would have to see their reaction if they want to testify.

Mr. JOHANSEN. Mr. Chairman, to further clarify the point that you are making, it is my understanding that the witness is not testifying of certain knowledge after 1954 or 1955 or thereabouts.

Mr. WILLIS. Well, he indicated that, from general knowledge, he thinks they might still be ideologically connected. But he has not been in the organizational features.

Mr. ARENS. Now, Mr. Nelson, you have testified extensively in an executive session and have been in extensive consultation with the staff on a number of items which are perhaps not germane to the scope of our inquiry in this session; isn't that correct?

Mr. NELSON. That is right.

Mr. ARENS. Mr. Chairman, in view of the outline of the scope of inquiry we have here today and in view of the fact that this witness has supplied the staff and the committee in executive session very substantial information on other items, other persons, and other areas of activity of the Communist operation with which we are not presently concerned within the scope of the framework of this particular hearing, I respectfully suggest that would now conclude the staff interrogation of this witness for this proceeding.

Mr. MOULDER. I wish to make it clear so that it might be thoroughly understood that all the persons whom you have referred to and named and identified as members of the Communist Party will be definitely and specifically identified during the course of these hearings by other witnesses.

Mr. NELSON. That is right.

Mr. MOULDER. We will stand in recess for a period of 5 minutes.

(Subcommittee members present: Representatives Moulder, Willis, and Johansen.)

(A brief recess was taken.)

Mr. MOULDER. The committee will be in order.

(Subcommittee members present: Representatives Moulder, Willis, and Johansen.)

Mr. MOULDER. Call your next witness, please, Mr. Arens.

Mr. ARENS. Mr. Leon Katzen, kindly come forward and remain standing while the chairman administers an oath to you.

Mr. MOULDER. Do you solemnly swear that the testimony you are about to give before this subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KATZEN. I do.

TESTIMONY OF LEON KATZEN, ACCOMPANIED BY COUNSEL, IRVING G. STEINBERG

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. KATZEN. My name is Leon Katzen, K-a-t-z-e-n. My residence is 1616C Touhy Avenue, Chicago, Ill.

Mr. ARENS. And your occupation, please, sir?

Mr. KATZEN. I will refuse to answer that question.

However, Mr. Chairman, I should first like to address a challenge to the committee based on what I consider to be the illegality of the subpoena which was served upon me. I have neither been informed of the purpose of this inquiry nor have I ever been shown the rules of this committee.

Mr. MOULDER. Very well.

Now the question directed by counsel was to state your occupation and—is that correct?

Mr. ARENS. Yes, sir. Would you kindly tell us your occupation?

(The witness conferred with his counsel.)

Mr. KATZEN. May I, Mr. Chairman, have a copy of the rules and a copy of the stated purpose of this inquiry?

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness now be ordered and directed to answer the question as to his occupation.

(The witness conferred with his counsel.)

Mr. MOULDER. The witness is directed to answer the question.

Mr. KATZEN. Mr. Chairman, I believe that I am within my rights, particularly in the light of the comments made earlier by Mr. Willis, in asking for a copy of the rules of the committee.

Mr. ARENS. Witness, there is a copy of the rules of the committee which I am laying there on the table for your counsel.

Now would you kindly answer the question, what is your present occupation?

Mr. KATZEN. Now, sir, I should like to have also a copy of the statement of the purpose.

Mr. ARENS. I will be glad to explain to you the pertinency and purpose of this particular inquiry. The Committee on Un-American Activities—

Mr. MOULDER. Mr. Arens, just a moment, if you please.

Were you in the hearing room at the time I made the opening statement about 10 o'clock?

(The witness conferred with his counsel.)

Mr. KATZEN. Yes, Mr. Chairman, I was. I have been subpoenaed to arrive here at 10 and I was here promptly. However, sir, may I say that your statement of the purpose of the inquiry, beginning with the authorizing resolution going back to the 79th Congress, was lengthy, complex, surrounded by all the difficulties of acoustics in this hall. This was a statement of purpose which, it occurs to me, for a witness properly to testify would require careful consideration, careful study in order that a witness might not only, if so minded, cooperate with the committee, but at the same time protect his own rights as guaranteed to the witnesses appearing before the committee.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness now be ordered and directed to answer the question as to his occupation.

(The witness conferred with his counsel.)

Mr. MOULDER. The witness is directed to answer.

(The witness conferred with his counsel.)

Mr. KATZEN. Mr. Chairman, do I understand that I am being refused a copy of the statement of the purpose which you read at the opening of the session?

Mr. MOULDER. The record will show that the witness heard the statement read by the chairman of the subcommittee at great length, at which time the explanation was fully made and the witness was thoroughly informed of the purposes of this hearing. And you are directed to answer the question, and if you refuse, then we will proceed with the next question.

(The witness conferred with his counsel.)

Mr. KATZEN. Mr. Chairman, it means, as I understand it, then, that I am proceeding without a full knowledge of the purpose of the inquiry which is being carried forward here.

Mr. MOULDER. No. The record clearly shows that you have been thoroughly informed, that you heard the statement read, which clearly explains the purpose of the inquiry and the hearing being held.

(The witness conferred with his counsel.)

Mr. MOULDER. And in making this direction to answer the question, I wish to also say that it is not in the nature of a threat, but it is so that you might be fully advised and informed of the possible dangers

which you might be incurring in that you might be in contempt of Congress by refusing to answer the question.

MR. KATZEN. Sir, I respect the motives with which this advice is given me. Nevertheless, I must ask to be permitted to state for the record that I was served with a subpoena which I considered to have been illegal, in that I was neither served with the rules of the committee nor with the purpose of the inquiry to which I was being asked to make myself present, and apparently I am being so refused now.

MR. MOULDER. Before you proceed further, Mr. Arens, do you not think counsel should identify himself?

MR. ARENS. That generally follows, as the chairman will recall, after the witness identifies himself; part of his identity is his occupation, which he thus far refuses to give to the committee on this record. As soon as he gives his occupation, we subsequently identify the counsel.

Now, sir, kindly tell us what is your occupation?

(The witness conferred with his counsel.)

MR. KATZEN. Mr. Chairman, without having been given an opportunity to familiarize myself with the purpose of this inquiry and having been ordered to answer the question, I will now proceed. I shall refuse to answer this question on the following several grounds:

First of all, I rely upon the first amendment to the Constitution of the United States, which says that Congress shall pass no law abridging freedom of speech, freedom of press, freedom of people peaceably to assemble or to petition their Government for redress of grievances.

Further, I am refusing to answer this question on the grounds that the authorizing resolution referred to by Mr. Willis, under which this committee operates, is vague, nebulous, without specificity. Who is to say what is the meaning of un-American? There are those of us who believe that it is un-American to deprive the Negro children throughout the South of equality of education. There are those of us who believe that it is un-American to—

MR. MOULDER. You were not asked to make any argument before the committee. As I understand, you declined to answer, claiming protection under the first amendment.

MR. KATZEN. Mr. Chairman, I had not yet completed my several grounds.

MR. MOULDER. Proceed. Make it as brief as possible.

MR. KATZEN. I further am refusing to answer this question on the grounds of lack of pertinency. It has been stated here repeatedly that this is an inquiry into something to do with the labor movement. This certainly cannot be related to me, nor can my testimony, which I might give, be pertinent to the publicly stated purpose of this inquiry.

In the Watkins case I believe that the point was made very clear by Mr. Chief Justice Warren, speaking in behalf of the majority of the Supreme Court, in stating that it is necessary that there be pertinency to the question.

MR. MOULDER. We cannot spend all our time listening to you reviewing the decisions of the Supreme Court. We will be tolerant and have every respect for the witness. Now, as I understand, you decline to answer that question, and you have stated your reasons,

claiming the protection under the provisions of the Constitution, is that correct?

Mr. KATZEN. Under the provisions of the Constitution, Mr. Chairman, and I should like to state also for the record that I have full respect for the Congress of the United States of America. Nevertheless, I feel that I should not be denied the opportunity to state fully the grounds upon which I am refusing to answer this question.

(The witness conferred with his counsel.)

Mr. KATZEN. The Supreme Court—

Mr. MOULDER. At this point, I would like to make a part of the record in connection with the testimony of this witness the statement which I read at the opening of this hearing this morning at 10 o'clock, the opening statement made by me as chairman of the subcommittee. I would like to insert this document in the record at this point and have the record show that it is the statement referred to by the witness which he has admitted he heard read at the opening session of this hearing.

(For opening statement, see pp. 513-518.)

Mr. KATZEN. Mr. Chairman, would it be permissible for me to ask that my counsel be given a copy of this statement which has just been inserted into the record?

Mr. ARENS. Yes, I give it right now.

Mr. MOULDER. May the record show that counsel representing the witness has a copy of the opening statement made by the chairman of this subcommittee.

Mr. ARENS. If you will hesitate there, may I inquire, are you represented in this proceeding by counsel?

(The witness conferred with his counsel.)

Mr. KATZEN. Yes.

Mr. ARENS. Counsel, would you kindly identify yourself?

Mr. STEINBERG. My name is Irving Steinberg, 180 West Washington.

Mr. ARENS. Now, Mr. Witness, have you completed your answer, your response to the question as to your present occupation?

Mr. KATZEN. No, sir; I have not.

Mr. ARENS. Would you kindly complete your answer?

Mr. KATZEN. I further rest my refusal to answer this question on the grounds that in light of the Watkins decision any questions which may be placed to me in this inquiry must necessarily lack specificity, pertinency, and consequently they must be without any meaning for me.

Lastly, I should like to state that I am refusing to answer this question on the ground of the protection afforded, the privilege afforded, by the fifth amendment of the Constitution of the United States, which guarantees that I do not have to be a witness against myself, that I do not have to testify in a proceeding of this sort.

Mr. ARENS. Now, sir, do you honestly apprehend that if you told this committee truthfully, while you are under oath, what your present occupation is, you would be supplying information which might be used against you in a criminal proceeding?

Mr. KATZEN. Mr. Arens, I have been sworn in at these proceedings. I would be bound to give an honest answer, if only out of fear of the possibility of perjuring myself. The answer that I gave in refusing to answer the prior question was evidently an honest one.

Mr. ARENS. Now, Mr. Witness, you said a few moments ago you had difficulty determining what the purpose of this inquiry is here. I display to you now a document, which was identified by a previous witness, issued by the Chicago Committee to Defend Democratic Rights, signed Leon Katzen, chairman, and Richard Criley, executive secretary, in which the Chicago Committee to Defend Democratic Rights announces to the world what that committee thinks the purpose of this particular inquiry is.

Would you kindly look at this document, which has been identified on this record by sworn testimony, and tell this committee whether or not you are the chairman of the Chicago Committee to Defend Democratic Rights?

(A document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. KATZEN. May I have an opportunity to read this?

Mr. MOULDER. Certainly.

Mr. KATZEN. Do I address myself to the chairman or you?

Mr. ARENS. If you please.

Mr. KATZEN. Mr. Chairman, I am refusing to answer this question on several grounds, which I should like to set forth.

(Document previously marked "Nelson Exhibit No. 1" appears on p. 521.)

Mr. ARENS. Are those the same grounds you stated a few moments ago?

Mr. KATZEN. Might I be permitted to state the grounds?

Mr. ARENS. Would you kindly answer whether or not they are the same grounds you stated a few moments ago?

Mr. KATZEN. Sir—

Mr. MOULDER. To expedite the proceedings and not take so much of your time, you can, if you wish, reassert the same reasons by reference and they will be considered as the same reasons in response to this question.

Mr. KATZEN. I should like, if I may, to restate the reasons, if only for the purpose of making precise and perfectly clear what my reasons are for refusal to answer.

Mr. MOULDER. You have that privilege.

Mr. KATZEN. All right, sir.

I am refusing to answer this question on the grounds that the question violates the rights guaranteed me under the first amendment to the Constitution of the United States. It seems to me, I may say, Mr. Chairman, that addressing this question to me precisely violates my rights under freedom of the press, because apparently this written piece of material to which my name is allegedly attached is something which is considered to be inimical and worthy of investigation in the light of subversive propaganda objectives which the committee is interested in.

I further refuse to answer this question again on the grounds of the lack of specificity of the authorization originally granted this committee, in that there is no one who is able to define the meaning of the word "un-American," and I tie this up with my earlier ground, in that it is implied that a statement of this kind is un-American. I submit, sir, there might be a wide variance of opinion about this, just as there could be a wide variance of opinion as to the activities, let it be said, of this committee.

I likewise, sir, would like to reiterate the grounds which I stated last, which is that I invoke the privilege under the fifth amendment of refusing to be called upon to serve as a witness against myself.

Mr. ARENS. Sir, are you now, this very instant, a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. KATZEN. Sir, I am refusing to answer this question on the basis of several grounds which I should like to cite. First of all, I rest my refusal to answer this question on the ground that it violates a freedom guaranteed me under the first amendment to the Constitution of the United States of America, which states that Congress shall pass no law abridging the right to freedom of assembly and by extension to freedom of association.

I should further like to state as my ground for refusal to answer this question that the authorizing resolution empowering the activity of this committee is vague, nebulous, without specificity, consequently meaningless.

And I repeat what is the meaning of un-American is subject to much debate and discussion. There are those of us who believe that the activities of the Atomic Energy Commission in denying to the American people the facts concerning the hazards of radiation fallout are pursuing an un-American course.

Mr. MOULDER. That, of course, is argument about the use of the phrase "un-American." I cannot see that that is in point.

Mr. KATZEN. I further insist to register my refusal to answer this question on the grounds of lack of pertinency and relevance of any questions which will be placed to me during an inquiry having to do with the labor movement to myself. They are completely unrelated.

And lastly, I want to restate my ground that I invoke the privilege of the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that Mr. Nelson be called forward now.

Mr. Nelson, would you kindly come forward?

TESTIMONY OF CARL NELSON—Resumed

Mr. ARENS. Mr. Nelson, an hour or so ago, you were sworn to tell the truth before this committee, were you not?

Mr. NELSON. That is right.

Mr. ARENS. During the course of your testimony you stated, in effect, that while you were a member of the Communist Party you knew as a Communist a person by the name of Leon Katzen. Is that correct?

Mr. NELSON. That is right.

Mr. ARENS. Do you see now in this Federal court room the person who, to your certain knowledge, was a member of the Communist Party whom you knew by the name of Leon Katzen?

Mr. NELSON. Yes, sir.

Mr. MOULDER. And referred to in your testimony.

Mr. ARENS. Would you kindly point him out now to this committee?

Mr. NELSON. Right there. [Indicating.]

Mr. MOULDER. The record will show that the witness, Mr. Nelson, pointed to Katzen, the witness now on the stand.

TESTIMONY OF LEON KATZEN—Resumed

Mr. ARENS. Mr. Katzen, Mr. Nelson has just looked you in the eye and, while he was under oath, identified you, in your presence, in the presence of your counsel, and in the presence of this committee in this public session, as a person known by him to be a member of the Communist Party. So there will be no question of the faceless informer, would you kindly look Mr. Nelson in the face and tell this committee now: Was Mr. Nelson telling the truth when he swore you were a Communist or was he in error?

Mr. KATZEN. Mr. Chairman, I must now most respectfully suggest and urge that my counsel be given the opportunity to cross-examine this witness, otherwise the identification be expunged from the record as having come from, in fact, a faceless informer.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question.

Mr. MOULDER. I want to make this statement in response to what the witness has just said.

Our committee is the only investigating committee that I know of in the Congress having rules and regulations which give to witnesses subpoenaed before the committee an opportunity under our rules to be represented by counsel, to be advised at all times during the course of the hearings. We have gone as far as is possible. We have adopted procedures to protect the individual rights of witnesses appearing before the committee without going into the courtroom procedure, because after all the witness is not on trial. This committee has no authority to punish anyone or to prosecute anyone. If we complied with your request, we would be here all day in cross-examination of the witness as requested by you.

Then, secondly, you have been accused (identified) here by the witness, Mr. Nelson. He has made his statement very frankly. You heard his testimony at great length in the hearing room, and he positively identified you as a person he referred to in his testimony. And now instead of availing yourself of the opportunity of denying or affirming his testimony, you take refuge behind the request that your counsel be permitted to cross-examine.

Now, do you wish to deny or affirm the statement made by Mr. Nelson in his testimony concerning your Communist activities?

(The witness conferred with his counsel.)

Mr. KATZEN. Mr. Chairman, exactly for the reason that you, sir, used the word "accused" with all of the implications and overtones which flow from the ordinary meaning of that word and in the light of the fact that in the Watkins case the Supreme Court said that the guarantees of due process before an investigating committee must be no less than those in the judicial process, I now, therefore, renew my request that my counsel be permitted to cross-examine the last identifying witness, or that the testimony given by this witness in the form of accusation against me be expunged from the record as of no value, worthless, misleading, and irrelevant.

Mr. MOULDER. Proceed, Mr. Arens.

Mr. ARENS. Have you ever used any name other than the name Leon Katzen?

(The witness conferred with his counsel.)

Mr. KATZEN. Mr. Chairman, I must refuse to answer this question basing myself on several grounds which I should like to cite.

I first base my refusal to answer this question on the basis of the first amendment to the Constitution of the United States, which guarantees that each citizen shall enjoy without abridgment by Congress freedom of speech, freedom of press, freedom of assembly, that under the fifth amendment to the Constitution each citizen shall be guaranteed freedom of his person.

I further cite as grounds for my refusal the fact that the authorizing resolution under which this committee operates is without sufficient clarity and definition, is so nebulous and vague as to make the purposes, the aims, and the objectives of this committee meaningless, or of multiple meaning, depending upon the observer.

I further cite as a ground the lack of pertinency and relevancy in a hearing of the kind that this has been announced to be of any questions which may be put to me.

And lastly, I base my refusal to answer this question on the grounds that under the fifth amendment I cannot be compelled to become a witness against myself.

Mr. MOULDER. Before proceeding, Mr. Arens, may I say this: In the beginning you stated you heard the statement read this morning about the purposes for which the hearings are being held. In that statement we stated our desire to know the extent, the character, and the objectives of the Communist infiltration and Communist Party propaganda activities in the labor unions in the area of Chicago.

We want this information produced by the committee for its consideration of amending section 4 of the Communist Party Control Act of 1954.

I ask you this question: Do you have any knowledge or information concerning the extent, character, and objectives of the Communist Party's infiltration and Communist Party propaganda activities in labor unions within the area of Chicago?

Mr. KATZEN. Mr. Chairman, it is my understanding—and you will correct me if I am in error—that the subpoena which was served upon me on the 30th of April was seemingly served as an afterthought. The subpoenas which were served on other people who may be called upon to testify today were issued far prior to this time.

Mr. MOULDER. May I interrupt?

Mr. KATZEN. May I ask a question, sir?

Mr. MOULDER. You are not answering the question. It is a very simple question. Do you have or possess any such knowledge or information?

(The witness conferred with his counsel.)

Mr. KATZEN. But, Mr. Chairman, I am trying to get some clarification, and this is why I put the question as I did. It is my understanding—correct me if I am wrong—that the subpoena served upon me was served only after a letter to which my name has allegedly been signed, calling for the abolition of this committee, was freely circulated in this area. I want to understand if that is the connection between my appearance here and my receipt of the subpoena.

Mr. MOULDER. Do you decline to answer the question?

(The witness conferred with his counsel.)

Mr. KATZEN. Well, Mr. Chairman, the question appears to me to be so vague, consisting actually as it does, if I understand it correctly,

of three separate questions, that I must refuse to answer it on the grounds which I have previously cited in my refusal to answer prior questions.

(The witness conferred with his counsel.)

Mr. MOULDER. Do you have any knowledge or information whatsoever concerning Communist Party techniques and strategy in the raising of money for the benefit of the Communist Party in this area?

(The witness conferred with his counsel.)

Mr. KATZEN. It is my impression, Mr. Chairman, that this question because of its vagueness, because of the fact that it embodies really several questions, cannot be answered; and, therefore, I must refuse to address myself to it on the grounds that number 1, under the protection of the first amendment to the Constitution of the United States, which states that Congress shall pass no law abridging freedom of speech, freedom of press, freedom of citizens peaceably to assemble or freedom to petition their Government for redress of grievances; on the ground that the authorizing resolution under which this committee is operating is so vague and tenuous and diffused as to be without specific meaning and that, therefore, necessarily the questions which will be placed to me will be vague; that the questions placed to me must necessarily lack of relevancy, pertinency, and have no relationship to me; and lastly on the grounds that under the fifth amendment to the Constitution I cannot be compelled to become a witness against myself.

It is for these reasons that I refuse to answer this question.

Mr. WILLIS. Mr. Chairman, I am not asking a question, but I call attention to this part of your statement which, of course, is correct: Despite statements that have been made that this committee has no legislative purpose, the truth of the matter as stated in your statement is, and I quote, "Legislation has been passed by the Congress embracing 35 of the committee recommendations."

Mr. MOULDER. That is correct. And in connection with the question being asked, I cannot understand how you can construe the question which I propounded, as to whether or not you have any knowledge or information, as being a vague question. Again I direct the witness to answer the question.

Mr. KATZEN. Mr. Chairman, could I ask that the court reporter read the question back so that I may test my memory as to whether it, in fact, was not a vague question consisting, in fact, of several questions?

Mr. MOULDER. The record will speak for itself. I think your request is purely vexatious to delay our proceedings. Go ahead, Mr. Arens.

Mr. ARENS. Mr. Chairman, so the record may be straight as to the pertinency, I should like now, as I have done in previous hearings, to make on this record a legalistic explanation of the pertinency of this subject which is under inquiry by this committee:

Sir, the Committee on Un-American Activities is under a mandate from the United States Congress to perform two principal functions. One function is to maintain a continuing surveillance over the administration and operation of the security laws. These laws include the Internal Security Act of 1950, the Communist Control Act of 1954, the Foreign Agents Registration Act, numerous provisions of the Criminal Code relating to espionage, sabotage, and internal security.

The second principal function of this committee is to develop factual information upon which it can recommend to the Congress of the United States legislative proposals for the purpose of safeguarding the internal security of this Nation. Over the course of many years, this committee has assembled great quantities of factual information which has been the basis upon which the Congress of the United States has enacted considerable internal security legislation.

It is the information of this committee and it is the information of the United States Congress—indeed, it ought to be the information of all patriotic Americans—that there is sweeping the world now a godless, atheistic conspiracy known as communism, an international conspiratorial operation of which the conspiracy in the United States is just one tentacle. It is the objective of this conspiracy to crush all human freedom. It is the objective of this conspiracy to stamp out all the values upon which this civilization in the West and the free world has been founded.

It is the information of this committee, sir, that you are part and parcel of that conspiracy; that you, sir, are a dedicated, hard-core Communist; that you, sir, have been practicing the techniques, conspiratorial operations of the Communist conspiracy within the greater Chicago area dedicated to overthrow this Government of the United States and dedicated to destroy the Constitution of the United States, behind which you have sought protection today.

Before this committee in executive session based upon intelligence information, we believe that you, sir, presently have information respecting the operation of that conspiracy which is sweeping the world and which, according to this witness this morning and other witnesses of like knowledge, is more serious, a more deadly menace than ever before in the history of this Nation.

Now, sir, with that explanation of pertinency, I ask you this question: Have you, sir, in the course of your life used the name Mike Samuels, S-a-m-u-e-l-s?

Mr. KATZEN. Mr. Chairman, I am not used to inquiries of this sort. It appears to me, however, that the dictates of justice would require that I be given an opportunity to make a statement with regard to the lengthy statement that was made by the staff director.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness now be ordered to answer the question as to whether or not he has in his lifetime used the name—

Mr. KATZEN. Mr. Chairman—

Mr. ARENS. —Mike Samuels.

Mr. KATZEN. Mr. Chairman, I am asking for an opportunity to answer the statement.

Mr. MOULDER. The counsel has given you a very lengthy explanation of the pertinency of the question that has been propounded.

Would you repeat the question, Mr. Arens?

Mr. KATZEN. He also made accusation.

Mr. ARENS. The question is, Have you used the name Mike Samuels?

Mr. KATZEN. The question, sir, is clear enough.

Mr. ARENS. If you give us a truthful and complete answer to that question, I expect to explore with you some of your activities in the conspiracy known as the Communist Party in the greater Chicago area in which you have used the name Mike Samuels.

(The witness conferred with his counsel.)

MR. ARENS. Now, sir, would you kindly answer the question?

MR. KATZEN. Mr. Chairman, the question is certainly clear enough, but the statement which contained a variety of accusations and innuendoes against me requires, in my opinion, in simple justice a rebuttal—

MR. ARENS. Do you want to deny—

MR. KATZEN. —an answer.

MR. ARENS. —you are, and in the past have been, a member of the Communist conspiracy operating in the Chicago area?

MR. KATZEN. Sir, what I want to state is that all of the activities which this committee is allegedly looking into are protected by the first amendment to the Constitution of the United States, and that the best effort that this committee might make would be to exercise that first amendment more than it has been exercised in the recent period of time, if we are truly dedicated to the maintenance of the freedoms upon which this country was founded.

MR. MOULDER. The witness is directed to answer the question propounded by counsel.

MR. KATZEN. Mr. Chairman, at this time I must refuse to answer this question upon the basis of several grounds which I wish to state; and while I don't know whether it may legally be cited as a ground, Mr. Chairman, it appears to me—I am not oversensitive, I am not a child—but I gather that there is a very definite overtone of hostility being directed against me by the staff director. However, this is not one of the grounds for my refusal to answer, because I don't know whether it would be acceptable.

My grounds are rather, No. 1, that I feel that the question put to me is a violation of the rights guaranteed me under the first amendment to the Constitution of the United States; No. 2, that the question put to me flows from an authorizing resolution to this committee which is so vague and nebulous, tenuous, and without boundary as to make any question which flows from that authorizing resolution necessarily vague, nebulous, unanswerable.

I further refuse to answer this question on the oft-stated grounds of lack of relevancy and pertinency to me or to this inquiry as the inquiry has been given a purpose in the public statement by the chairman.

And last, I suggest that I have the right to refuse on the grounds that the subpoena issued to me was, in fact, issued as an afterthought by reason of the allegation that I was a signer of a piece of material which, in fact, was not distributed outside the courthouse, but which I am reliably informed was received through the mail by some 10,000 people throughout this area.

And lastly, I am refusing to answer on the grounds that the fifth amendment guarantees that I may not be compelled to become a witness against myself.

MR. ARENS. In passing, would you tell us who informed you that there were 10,000 of these leaflets distributed by this Chicago Committee to Defend Democratic Rights? Could you help us on that, please, sir?

(The witness conferred with his counsel.)

MR. KATZEN. Mr. Chairman, it may very well be that the individual who told me 10,000 copies may have been in error. It may very well have been 15,000 or 20,000 copies.

Mr. MOULDER. Not questioning the accuracy of the number, he asked you the question of who told you. You have opened up a subject of discussion by making that statement.

Counsel, you heard—that question.

Mr. KATZEN. Mr. Chairman, may I understand? Am I being directed to answer that question?

Mr. MOULDER. Yes, answer the question. You raised the question. I think you should be directed to answer. You have not answered any question yet. We would like to have some answers.

Mr. KATZEN. Are you directing me, sir?

Mr. MOULDER. Yes, you are being directed.

Mr. KATZEN. If I am being directed, sir, then I must refuse to answer this question, and to save time, on the basis of the same essential grounds as those which I cited for my refusal to answer all prior questions.

Mr. MOULDER. For reasons previously given.

Mr. ARENS. Now, sir, I display to you an original card, a transfer card to be sent to the central office through the district office—the central office of the Communist Party of the U.S.A.—transferring a particular comrade from one section of this conspiratorial operation to another. This transfer card is signed by Mike Samuels, S-a-m-u-e-l-s, on the transfer card identified as “organizer.” The date on this transfer card is March 1, 1939.

Kindly look at this transfer card which I display to you and tell this committee, while you are under oath, whether or not you are the Mike Samuels—you used the name Mike Samuels—and whether or not you affixed the signature “Mike Samuels” to that Communist Party transfer card.

(A document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. STEINBERG. May I look at Exhibit 1?

Mr. ARENS. Exhibit 1?

Mr. STEINBERG. Yes.

Mr. MOULDER. The record will show the witness and his counsel are examining the document—

Mr. STEINBERG. Yes, that is so, sir.

Mr. MOULDER. —referred to by counsel.

Mr. KATZEN. Mr. Chairman, I must refuse to answer that question on the grounds which I shall, if I may, with your permission, sir, cite in capsule form as essentially those which I cited before, to wit:

On the grounds that the first amendment to the Constitution of the United States is the guarantee for every American citizen that Congress shall pass no law abridging freedom of speech, freedom of the press, freedom of religion, freedom of the right peaceably to assemble, freedom of citizens peaceably to address petitions to their Government for redress of grievances;

On the further grounds that the authorizing resolution of this committee is sufficiently vague and tenuous as to permit of so wide a variety of interpretations as to be in effect without meaning, that the specific jurisdiction of this committee for the purpose of conducting this inquiry is consequently vague.

Mr. JOHANSEN. May I suggest, Witness, this is a pretty large capsule, and I think the witness answered adequately when he said it was on the previous grounds. These are obvious dilatory tactics.

Mr. MOULDER. You can, of course, decline to answer and claim the very same reasons previously stated. It might expedite the proceedings. But, on the other hand, we want to give you the privilege.

Mr. KATZEN. Sir, that was my offer, and I believe on my prior question I did answer that way, but that on the question before that I answered once more at length, lest there be any misunderstanding concerning precisely what these grounds are.

Mr. MOULDER. You claim all of the reasons?

Mr. KATZEN. Show for the record that I am willing, sir, to let it go.

Mr. MOULDER. You are declining to answer for all of the reasons previously stated?

Mr. KATZEN. Yes.

Mr. MOULDER. Any one and all.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the exhibit I displayed to the witness be appropriately marked and incorporated by reference in the record.

Mr. MOULDER. Yes; it is so ordered.

(Document marked "Katzen Exhibit No. 1" and retained in committee files.)

Mr. ARENS. How long have you been employed at your present occupation?

(The witness conferred with his counsel.)

Mr. KATZEN. Mr. Chairman, I submit that this question is most clearly an invasion of my privacy. I, therefore, refuse to answer on the grounds that the first amendment to the Constitution of the United States serves as a guarantee for every citizen that Congress shall pass no law abridging the right of the people of the United States to the freedom of press, freedom of religion, freedom of speech, freedom of assembly, and freedom to petition their Government for a redress of grievances.

I further refuse to answer this question on the grounds that this question is most closely related to the lack of specificity and clarity in the authorizing resolution under which this committee operates.

Further than this, I am refusing to answer on the ground of lack of relevancy between this question and the today publicly stated purpose of this inquiry and the lack of relevancy between questions put to me and that purpose.

Lastly, I am declining to answer on the ground that under the fifth amendment to the Constitution of the United States I may not be compelled to become a witness against myself.

Mr. ARENS. Now, sir, I display to you a thermofax reproduction of the announcement of the Chicago Workers School, South Side Branch, in which certain classes are scheduled and in which the professors, the instructors, are listed. On Wednesday according to this schedule of classes of the South Side Branch, a number of persons are listed here as the professors and on Thursday there is to be an "Institute on General Crisis of Capitalism," and the teacher there, the instructor, is Leon Katzen.

Kindly look at this document which I display to you now and tell this committee whether or not that refreshes your recollection and

whether or not you are the Leon Katzen who was the instructor at the Chicago Workers School?

(A document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. MOULDER. Let the record show that witness and his counsel are examining the document referred to by committee counsel.

Mr. KATZEN. Mr. Chairman, among the many grounds which I have cited for my refusal to answer earlier questions, was one which I shall be very happy to repeat and that is the lack of pertinency and relevancy.

If my glasses are properly shined up, it appears to me that this or the original of this was published 10 years ago. I cannot see how even if this were in fact a facsimile reproduction of an original which in fact did exist, how it could possibly have any pertinency or relevancy either to this hearing or to me.

Secondly, I see nothing about the identification of a workers school which would, in fact, establish that such a workers school existed. I understand that there are printing processes whereby these things can be reproduced in wholesale without any date or any type of copy on them.

However, further than this, I should like to state as my original grounds for refusing to answer this question, those which I have already in addition cited, that is, in addition to the one concerning the lack of relevancy and pertinency.

(Document marked "Katzen Exhibit No. 2" and retained in committee files.)

Mr. ARENS. Do you presently, this instant, have information respecting the techniques, strategy, and operation of the Communist conspiracy in the greater Chicago area?

(The witness conferred with his counsel.)

Mr. MOULDER. Let us proceed. Do you wish to decline to answer that question?

Mr. KATZEN. Mr. Chairman, I am sorry. Either I have lost the question or I have—

Mr. MOULDER. There is a question pending.

Mr. KATZEN. Was the last a question on the part of—

Mr. ARENS. Yes. The question is, do you, this instant, have information respecting the operation in the greater Chicago area presently of the Communist Party and the Communist conspiratorial operation?

Mr. KATZEN. Sir, I must refuse to answer that question on the grounds that it tends to violate the guarantees provided by the first amendment to the Constitution of the United States. I must further refuse to answer this question on the grounds that it flows from the general, nebulous procedure employed in a tenuous resolution upon which this committee has been functioning, which is so lacking in boundary and clarity as to be meaningless and unanswerable; on the grounds of lack of relevancy and pertinency; and on the grounds that there is a lack of specific jurisdiction on the part of this committee; and lastly on the grounds that the Constitution of the United States in its fifth amendment provides me the privilege of refusing to become a witness against myself.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. MOULDER. I do not want to prolong the hearing. I should have asked this in the beginning. We did not have the opportunity to go into this matter because your immediate reaction to any question was with a preconceived or determined intention of not answering any questions. But I do not believe these questions were asked of you, and I am sure the committee would like to know. Do you reside here in Chicago?

Mr. KATZEN. Sir, the record already bears, I believe, my earlier statement in answer to the question of Mr. Arens, that I am a resident of the city of Chicago.

Mr. MOULDER. Were you born and reared here?

Mr. KATZEN. Sir, I must refuse to answer that question upon exactly the same grounds upon which I refused to answer all other questions.

Mr. MOULDER. Any questions, Mr. Willis?

Any questions, Mr. Johansen?

The committee will recess until 2 o'clock.

(Subcommittee members present: Representatives Moulder, Willis, and Johansen.)

(Whereupon, the subcommittee recessed at 12:15 p.m., to reconvene at 2 p.m. of the same day.)

AFTERNOON SESSION, TUESDAY, MAY 5, 1959

Mr. MOULDER. The committee will come to order.

(Subcommittee members present: Representatives Moulder, Willis, and Johansen.)

Mr. MOULDER. Mr. Arens, the staff director for the committee, will call the next witness, please.

Mr. ARENS. Mr. Richard Criley, please come forward. Please remain standing while the chairman administers an oath.

Mr. MOULDER. Do you solemnly swear that the testimony which you are about to give before this subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CRILEY. I so swear.

TESTIMONY OF RICHARD CRILEY, ACCOMPANIED BY COUNSEL, IRVING G. STEINBERG

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. CRILEY. Richard Criley, 709 South Spaulding Street, Chicago 24.

Mr. ARENS. And your occupation, please, sir?

(The witness conferred with his counsel.)

Mr. CRILEY. My ancestor, Childs Corey, died in Salem, Massachusetts, in the year 1692, a victim of the Salem witch hunt. Mr. Arens, I think you can understand if my family has a long aversion to witch hunts of any kind and also if it is an article of faith in my family to believe in the Bill of Rights, I cannot in conscience encourage a further erosion of the Bill of Rights by answering your question.

Mr. MOULDER. The witness is directed to answer the question.

(The witness conferred with his counsel.)

Mr. CRILEY. I am consulting with counsel, sir. It is irrelevant. (The witness conferred with his counsel.)

Mr. MOULDER. The question is, What is your occupation?

Mr. CRILEY. First of all, in refusing to answer that question, I want to give my reasons for so refusing. A subpoena was issued to me on April 30. I was not given a copy of the rules of this committee nor any statement of the legislative purpose of this committee. I believe, therefore, that that subpoena is invalid and in view of this I am not obligated to answer any questions of the committee.

Further, I believe that my being called here and the question asked me is a violation of my rights under the first amendment which states that Congress may make no laws abridging freedom of religion, freedom of speech, press, assembly, or the right to petition the Government for redress of grievances.

Third, this committee lacks what might be called a legal mandate to function, as was pointed out in the Watkins decision of the Supreme Court.

The Constitution of the United States, Article I, states that the job of Congress is to legislate. Article II states that the job of the Executive is assigned to the President. Article III states that the job of the Judiciary is assigned to the Supreme Court and inferior Federal courts.

The mandate of this committee is so general as to be meaningless in the words of Supreme Court Justice Earl Warren. It think it is clear that the meaning of "un-American" is subject to all manner of interpretation.

Mr. Truman on April 30 in a lecture before Columbia University stated that the most un-American thing in the United States is the House Un-American Activities Committee. If one were to accept Mr. Truman's construction of the word "un-American," then this committee would properly be investigating itself.

I am sure that you gentlemen place a different construction upon the word. But I state this only to illustrate the fact that legally one can have no clear idea as to what is intended by "un-American activities" and that there is, therefore, no legal mandate from the Congress of the United States to this committee to conduct this hearing.

Further, I would like to ask Mr. Arens for a copy of the statement which he has introduced, I believe, into the record of this hearing with the previous witness.

Mr. ARENS. We will supply that to you right now. It is being supplied to you right now.

(A document was handed to the witness.)

Mr. ARENS. Does that complete your answer, sir?

Mr. CRILEY. It does not complete my answer.

Mr. ARENS. Would you kindly proceed.

Mr. CRILEY. I am sorry. I was asking for Exhibit 1. I received a copy of the statement of purposes of the committee. Needless to say, I have had no opportunity to read this statement.

I would like to ask Mr. Arens again if I may have what has been introduced into this hearing as Exhibit 1.

Mr. ARENS. At an appropriate time we are going to display that to you.

Would you please answer the question?

Mr. CRILEY. I would like to have that statement because it has the bearing on the heart of the legal reason I am going to give for my refusal to answer your question. I again request that Mr. Arens give me a copy of Exhibit 1.

Mr. ARENS. At an appropriate time I am going to display it to you, if you will kindly answer the question now as to your occupation.

Mr. CRILEY. Mr. Chairman, my legal defense is based upon that document, and I request that you instruct Mr. Arens to let me have a copy of the document.

Mr. ARENS. We will interrupt your train of thought, if you do not mind, to present this to you.

(A document was handed to the witness.)

Mr. CRILEY. Mr. Arens, I am stating my legal reasons for refusing to answer your question.

Mr. MOULDER. Just a minute. This is an introductory question asked you. You have given your name. The next question was to state your occupation. You conferred with your attorney, who sits beside you, and advised with him, and now you have made a long argument to state much of which is no valid reason whatsoever for declining to answer the question. But we have been very tolerant in giving you plenty of time. Now you are directed to answer the question. You have refused and declined to answer it.

Mr. Arens, proceed with the next question.

Mr. CRILEY. Mr. Moulder, may I state for the record of this hearing that I have been cut off and have been prevented from stating my legal reasons for refusing to answer the question which I was under direction—

Mr. MOULDER. You are making a vexatious delay and dilatory argument and statement.

Proceed with the next question.

Mr. ARENS. Now, Mr. Criley, you are represented by counsel in this proceeding today?

Mr. CRILEY. Yes, I am represented by counsel.

Mr. ARENS. Counsel, would you kindly identify yourself on this record?

Mr. STEINBERG. My name is Irving G. Steinberg, 180 West Washington.

Mr. ARENS. Mr. Criley, you said a few moments ago you were vigorously opposed to witch hunts; is that correct?

(The witness conferred with his counsel.)

Mr. CRILEY. Yes. I said I was opposed to witch hunts of all kinds.

Mr. ARENS. Have you taken a position with reference to witch hunting or characterized the present proceedings as witch hunting? These hearings here today, have you characterized those as witch hunting?

(The witness conferred with his counsel.)

Mr. CRILEY. I am going to decline to answer that question first of all on the basis that the question itself has no valid legislative purpose in connection with any purpose which this committee may have.

Mr. ARENS. Now, Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question or to invoke his constitutional privileges for the reason that he instigated this line of inquiry by protesting what he has characterized as witch hunts.

(The witness conferred with his counsel.)

Mr. MOULDER. Yes. The witness is directed to answer the question in order to test your good faith in claiming the reason which you stated for declining to answer the question.

Mr. CRILEY. May I ask that that question be reread by the clerk?

Mr. ARENS. I will give you the essence of the question. Have you taken a position in the recent past, characterizing the instant proceedings here before this committee now as witch hunts?

(The witness conferred with his counsel.)

Mr. CRILEY. I am going to decline to answer that question, first of all, on the grounds that I believe that this question, in particular, is a direct violation of my rights under the first amendment to freedom of speech; secondly, that this committee lacks a valid mandate; thirdly, for a reason that the subpoena and the calling of me is not pertinent to the purposes of this investigation, as I will show that this question itself has no pertinency or relevancy to a subject of legislation before this committee. And I would like to explain to the committee why my being called here is precisely a violation of what Mr. Justice Warren in the Watkins decision said may not be done.

Mr. MOULDER. Proceed with the next question. Now wait—

Mr. CRILEY. Mr. Warren—

Mr. ARENS. Mr. Criley, I display to you—

Mr. CRILEY. May I say for the record—

Mr. ARENS. Mr. Criley, you have invoked your reasons here.

Mr. CRILEY. I have not. My reasons—

Mr. ARENS. I lay before you an original document which has been identified on this record as a document distributed by the Chicago Committee to Defend Democratic Rights, the executive secretary of which is listed on the document as Richard Criley. The document itself proclaims that these instant proceedings are witch hunts and questions the motives of the committee and attacks the committee.

Would you kindly look at this document and tell this committee now, while you are under oath, in view of your adamant position against witch hunts whether or not you are the Richard Criley whose name appears here as the executive secretary of the Chicago Committee to Defend Democratic Rights?

(A document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. MOULDER. Let the record show that the committee counsel handed the document referred to, to the witness and the witness then, in turn, is examining the document.

Mr. CRILEY. May I call to the attention of the committee that on two occasions I have attempted to state my legal reasons for declining to answer previous questions and that in both instances I have been stopped from presenting my legal reasons for not answering the questions. And I want to make sure that this is a matter of the record of this committee hearing.

Mr. ARENS. Would you kindly answer the question? Are you the Richard Criley who is listed here on this document as executive secretary of the Chicago Committee to Defend Democratic Rights?

(The witness conferred with his counsel.)

Mr. CRILEY. I should like to read this letter around which apparently a number of questions—

Mr. ARENS. Would you kindly answer the question?

Mr. Chairman, I respectfully suggest the witness be admonished to answer the question. It is clear that the question is a pertinent question, is a proper question, is within the scope of inquiry of this committee, and the witness has yet to give us a direct answer.

Mr. CRILEY. I have not yet been given the opportunity to cite my legal rights for refusing to answer and these are very relevant to this document, Exhibit 1, which I asked for previously.

Now, may I state my legal reasons for not answering the question just asked me by counsel and be permitted to give my legal reasons for so doing?

Mr. MOULDER. Yes, you have that right. But let us not be dilatory or proceed to harass the committee and try to prevent a situation of vexatious delay of our proceedings. You can decline to answer by giving valid reasons for not answering.

Mr. CRILEY. Mr. Moulder, I am not a lawyer. I came here by your invitation, not mine. I am stating to the very level best of my ability what I believe are valid, legal reasons for not answering this committee.

Now if I may be permitted to proceed, I want to read this letter because it is of cardinal importance to me that this be into the court record, because my statement hinges upon the contents of this letter.

Mr. MOULDER. Wait just a minute. If you answer the question, identify the document, then read the letter. Is that your signature? Are you the person referred to on the document? If you so identify it, read it.

(The witness conferred with his counsel.)

Mr. CRILEY. I will identify the signature on this document as my signature.

Mr. MOULDER. All right. Then read the document.

Mr. ARENS. Are you the executive secretary—

Mr. CRILEY. I was instructed by the chairman, Mr. Arens, that I may read the document.

Mr. MOULDER. Let him read the document after he identified it. He said he signed it. I think that is fair enough.

Mr. CRILEY. The head of this document reads: "Chicago Committee To Defend Democratic Rights. Legislative Bulletin."

Headline: "House Un-American Activities Committee, Chicago Hearing, Set for May 5-6."

The Un-Americans are at it again! Two groups of Chicago unionists have been subpoenaed to appear before it on May 5 and 6. They include members and former members of the United Packinghouse Workers of America and of Local #113 (Tool and Die) of the International Association of Machinists. Additional unionists may still be called at a later date.

It is clear that the House Un-American Activities Committee hearing is a direct intervention into the internal affairs of labor.

The House Committee (whose general mandate to function was questioned by the U.S. Supreme Court) has no specific authorization from Congress to conduct such a hearing as that scheduled here. It is evident, also, that there can be no legitimate legislative purpose for this hearing. On both counts, the entire hearing is patently illegal, on the basis of the Supreme Court decision in the Watkins case which stated that the Committee has no right to expose "for sake of exposure."

Chairman Walter's public statement that the hearing is for the purpose of "investigating subversive infiltration" into defense industries is camouflage for a flagrant attack on unions and the constitutional rights of American workers. It will be recalled that the last "labor investigation" of the Committee in this

area was in 1952 when it was timed to disrupt the strike of International Harvester workers and the negotiations for a new contract in the meat packing industry.

The House Committee has just completed a witch-hunt against labor in the Pittsburgh area. In February in Los Angeles under guise of investigating "legal subversion," it unfolded an attack on defense attorneys in civil liberties cases, and on the constitutional right to be represented by counsel. In Atlanta, Georgia, last year, the Committee was denounced by over 200 prominent Negro leaders in the South for "trying to attach the 'subversive' label to any liberal white Southerner who dares to raise his voice in support of our democratic ideals."

The recent actions of the House Un-American Activities Committee are the most potent argument for its abolition, and the cutting off of all further appropriations. (For 1959, it has already been voted \$327,000 by the House of Representatives.)

RECOMMENDATIONS FOR ACTION

1. Write your Congressman to support the bill introduced by Representative James Roosevelt to abolish the House Un-American Activities Committee.

2. See and judge for yourself by attending the hearings on May 5 and 6 at the Federal Building (Old Post Office), Clark and Adams Sts.

Sincerely yours,

Leon Katzen, Chairman

Richard Criley, Executive Secretary

Mr. ARENS. He has not completed yet.

Mr. CRILEY. There is a note on the bottom "PS: We depend on your contributions." I think that was relevant to the point I wanted to make.

(Document previously marked "Nelson Exhibit No. 1" also appears on p. 521.)

Mr. MOULDER. Just one moment. Speaking for myself and the members of the committee, we want to make the record clear here and now that our committee is not endeavoring to investigate or meddle in union organizations as such.

I have, for my record in Congress, almost a 100 percent voting record for organized labor, and I am enthusiastic and strong for organized labor and its objectives and its rights. But we are interested in finding out how the Communists are trying to dominate and destroy organized labor wherever they may be attempting to do so. That is one of the purposes, one of the objectives of our hearings here in Chicago.

Mr. CRILEY. May I continue my legal reasons for refusal to answer? You are finished, Mr. Chairman, yes?

Mr. MOULDER. Proceed.

Mr. CRILEY. I would like to submit in evidence four slips. They are statements of mailing matter for permit mail from the Chicago post office. First one is dated April 14, 1959, and records that 3,100 pieces of mail were mailed on that date. The second one, dated April 15, records 1,500 pieces of mail were mailed on that date. The third is dated April 16 and records that 1,115 pieces were mailed on that date. The fourth is April 17 and records that 1,800 pieces of mail were mailed on that date. I would like to submit this as an exhibit before the committee, if I may.

Now, the relevance of this is precisely the following: I was served with a subpoena.

Mr. MOULDER. What is the question pending?

Mr. CRILEY. I am giving legal reason for not answering.

Mr. ARENS. The pending question is whether he is the executive secretary of the Chicago Committee To Defend Democratic Rights.

I was under the impression he said a few minutes ago this was his signature as executive secretary. So he has answered the question.

Mr. MOULDER. Proceed with the next question.

Mr. ARENS. Do you know Mr. Leon Katzen, chairman of the group of which you are executive secretary?

Mr. CRILEY. May I again call to the attention of the chairman that I was still attempting to cite the legal reasons for refusal to answer from the very first question in this hearing that I did not answer, and——

Mr. MOULDER. What question was that?

Mr. CRILEY. The first question I did not answer was my occupation. I was never given an opportunity to give my legal reasons of refusing to answer that question. This was what I was attempting to do when Mr. Arens interrupted me.

Mr. MOULDER. You spent 10 minutes on that and were getting ready to read at great length a Supreme Court decision which is out of order in these proceedings or hearings.

Mr. CRILEY. Mr. Chairman——

Mr. ARENS. Mr. Criley, did you prepare this document which you have just read?

Mr. CRILEY. May I state it takes me 15 minutes to state my legal ground. I am possibly putting at stake a year of my life and I believe I must be entitled to fully state my legal grounds why I am refusing. May I continue where I left off?

Mr. ARENS. You satisfied the committee on your answer. We are thoroughly satisfied.

Mr. CRILEY. I am not satisfied in my answer because in the record I have not yet stated my legal reasons for not answering the first two questions which I did not answer.

Mr. MOULDER. We are not going to permit you to make a big, long speech before this committee.

Mr. ARENS. Did you prepare the document, from which you just read, of the Chicago Committee to Defend Democratic Rights?

(The witness conferred with his counsel.)

Mr. CRILEY. To save some time, I have not been directed to answer that question, so I am not answering.

Mr. MOULDER. All right. You are now hereby directed to answer the question.

Mr. CRILEY. I am not going to answer that question and I would like to continue my discussion to give my legal reasons as to why I am not answering. I pointed out that these slips, with the dates running from April 14 to 17, represent the mailing of approximately 8,000 copies of this leaflet to which my signature is affixed. I was served on April 30 with a subpoena dated April 24. This subpoena is at least 4 weeks after all of the other subpoenas were served. Only two subpoenas were served, to the best of my knowledge, or were issued after the end of the month of March.

Mr. ARENS. Now, Mr. Criley——

Mr. CRILEY. I am not——

Mr. MOULDER. That isn't responsive to the question as a reason for refusing to answer at all.

Mr. CRILEY. I wish to say and these are grounds that are very clearly borne out in the Watkins decision, Mr. Chairman, because I

wish to explain why I am contending that my subpoena is a complete afterthought to the purpose of this committee, which was announced as being an investigation in certain industrial areas. I have no connection with such areas and have not had any experience as an active unionist for a period of over 12 years, and I wish to point out—

Mr. MOULDER. You are being argumentative, that is all.

Proceed, Mr. Arens.

Mr. ARENS. I suggest now I make a brief statement as to pertinence so there will be no question on this record as to the pertinency of these questions.

Mr. Criley, as announced by the chairman of this committee, this committee is in Chicago for the purpose of developing factual material on current Communist techniques and activities, including, but not limited to, the Communist penetration of the meatpacking industry. A man this morning took an oath, laid his liberty on the line, and said that while he was a member of the Communist conspiratorial apparatus, he knew you, sir, as a member of the Communist Party. We have information, sir, that you are now, and have been in the recent past, a hard-core member of the Communist conspiracy, doing work of that conspiracy designed to overthrow the Constitution which you have been invoking here today; that you have been part of this deadly apparatus, which is designed to destroy liberty and freedom on this continent.

Therefore, sir, with that information in the possession of this committee, the committee directed that a subpoena be served upon you so that you could be interrogated. We hoped that certain information could be developed on this record—by direction, and if not by direction, by indirection—so that this committee could take this information back to Washington, D.C., together with other information it is collecting in other parts of the United States respecting this conspiratorial operation, so that it might legislate to protect this country against the Communist conspiracy of which we understand you are now, this instant, an integral part.

Now, sir, would you kindly answer this question? Are you now, this moment, a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. CRILEY. I would again like to point out for the committee record that I have not yet been given an opportunity to summarize the legal reasons why I have refused to answer certain questions, and I believe that these are my rights before the committee. I am being cut off. My train of thought is being interrupted. I have almost no idea as to what legal rights I have been able to state before the committee at the present time. And I would like to ask leave of this committee to finish my statement, which will not be a lengthy one, but which I believe is absolutely essential and is my right as an American citizen to so state before this committee.

Mr. MOULDER. You have heard the question propounded by counsel. You are directed to answer the question.

(The witness conferred with his counsel.)

Mr. ARENS. The question is, Are you now, this minute, a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. CRILEY. Mr. Chairman, I am going to refuse to answer that question for the legal reasons that the question is a violation of my right under the first amendment; for the reason that the mandate of this committee is not a legal one; for the reason that my subpoena is not a valid one, that I was called before this committee in almost the identical fashion cited by the Supreme Court which said: "Investigations conducted solely for the personal aggrandizement of the investigators or to punish those investigated are indefensible."

I have attempted to show that my subpoena, together with that of one other person who was on the stand here, is a complete exception to all other subpoenas that were issued; that the subpoena was for the expressed purpose of punishing someone who issued a statement critical of this committee; that, therefore, the committee does not have the legal right to ask me these questions, since the purpose of the committee is not that of legislation as outlined by the Constitution, but one of harassing and attempting to punish a critic of this committee.

I wish to also state here that all of these things I have cited flow from the due process clause of the fifth amendment.

Mr. ARENS. Do you know a man by the name of Carl Nelson?

(The witness conferred with his counsel.)

Mr. ARENS. Would you kindly answer the question? Sir, do you know a man by the name of Carl Nelson?

Mr. CRILEY. May I consult with counsel?

Mr. MOULDER. Yes.

Mr. CRILEY. Mr. Chairman, am I instructed to answer that question?

Mr. MOULDER. You are directed to answer the question.

Mr. CRILEY. I am going to refuse to answer that question on the grounds that the question is entirely irrelevant, and I believe the word is "is not pertinent" to the legislative purposes of this committee; for the reasons also that it is a violation of my rights under the first amendment; for the additional reason that the committee's mandate to function is not a legal one; for the additional reason that the subpoenaing of me was both not done in a legal manner and was not done to further a legitimate, legislative purpose by this committee; for the reason that I think I stated, that the question is not germane or pertinent to legislation; for the additional reason that the committee is not a legal committee, because functioning with the committee, for instance, is a Mr. Willis who, under the fourteenth and thirteenth amendment, is not constitutionally elected to office in view of the well known denial of the rights to vote by the Negro citizens of his State. For those reasons I am going to refuse to answer the question.

Mr. WILLIS. Let me say, Mr. Chairman, I am not replying to the witness. I am not asking him a question. I do not want to engage in a discussion with him. But in my district, the people I am sent to Washington to represent, the eight parishes that I represent, everyone who is entitled to vote, does vote, under identical and similar circumstances.

Mr. ARENS. This morning Mr. Carl Nelson took an oath before this committee and stated that he served in the Communist Party for a number of years; that the Communist Party is now a greater menace than ever before; that it consists of trained, hard-core agents of a foreign power on American soil. While he was under oath, subjecting himself to prosecution for perjury if he stated a falsehood,

he stated that he knew you, to a certainty, as a member of the Communist Party.

We would like to afford you now an opportunity to deny that identification, if you please, sir.

Mr. CRILEY. I believe—

Mr. ARENS. Do you care to avail yourself of that opportunity?

Mr. CRILEY. I believe Mr. Nelson's statement was that he left the Communist Party some 15 years or more ago. And I would like to state that it seems to me that any such testimony is so remote as to be completely irrelevant to any present purposes of legislation before Congress at the present time.

Mr. MOULDER. I don't believe that is correct. I believe you have misunderstood his testimony.

Mr. ARENS. Mr. Criley, do you know a man by the name of Louis Rosser?

(The witness conferred with his counsel.)

Mr. CRILEY. Am I directed to answer that question?

Mr. MOULDER. Yes, you are directed to answer that question.

Mr. CRILEY. I shall refuse to answer the question because the question is totally remote, has no pertinence whatsoever to any legislative purpose that this committee may have; for the reason that the committee itself in subpoenaing me has no relationship between my testimony and the testimony of other witnesses who seemingly have some relationship to what was stated to have been the purpose of these committee hearings. For the reason of my rights of freedom of speech, freedom of assembly, freedom of press, and freedom to petition the Government for redress of grievances under the first amendment; and for all other reasons which I have stated, and, by the way, all of these as they relate to the due process clause of the fifth amendment, I am refusing to answer that question.

Mr. MOULDER. Mr. Arens, may I interrupt at this point to ask the witness this question: Do you have any knowledge or information concerning the activities of any person which you deem to be subversive or which endangers our internal security in the United States?

(The witness conferred with his counsel.)

Mr. CRILEY. Mr. Chairman, in my opinion there are some people who are seriously endangering the security of the United States. At the moment I would place at Number 1 certain of the generals and other people who are conducting a diplomacy backed by the threat to destroy the entire world with atomic weapons. I would also state that the democratic and constitutional Government of the United States today faces a very serious threat, flowing as it does from certain groups and includes highly influential persons who are attempting to undertake a campaign of pressure of legislative action and other things to, so to speak, curb and get the powers of the United States Supreme Court, which have been exercised as perhaps the most important single guarantee that the Bill of Rights written into the United States Constitution shall remain as our guiding light in democratic government.

Mr. MOULDER. All right. Do you have any information concerning the activities of any Communist Party members whose actions and activities endanger, or might endanger, the internal security of the United States?

(The witness conferred with his counsel.)

Mr. MOULDER. And I might add our American way of life and our constitutional form of government.

Mr. CRILEY. Mr. Chairman, I know of no such people endangering the American way of life.

Mr. MOULDER. You don't know of any Communists?

Mr. CRILEY. You are asking—and let me make sure I understand the question—if I know any Communists who in my opinion are endangering the American way of life and subverting the American democratic system, shall we say? My answer is no.

Mr. MOULDER. That you do not know.

Mr. CRILEY. I do not know any such people who are endangering the American way of life or subverting the American democratic process.

Mr. MOULDER. That is, any such people who are members of the Communist Party. That was my question.

Mr. CRILEY. That is correct. Of course you are consulting me in terms of what my opinion is.

Mr. MOULDER. Yes.

Mr. CRILEY. And this is my honest opinion, Mr. Chairman.

Mr. MOULDER. I am asking if you have any information which you might give us of Communist Party members' activities which would endanger our American way of life, our internal security, or whose activities would be subversive. You say you do not know?

Mr. CRILEY. No, I do not.

Mr. MOULDER. All right. Now, then, do you know any Communist Party members who are active in any way in the upholding of the American way of life or our democracy or our Bill of Rights that you have referred to?

(The witness conferred with his counsel.)

Mr. CRILEY. Mr. Chairman, if I knew of such cases where there were Communists' activity in upholding, let us say, the Bill of Rights and the American way of life, clearly such activities are legal and are legally protected by the Bill of Rights, and therefore I cannot see that the question bears any relevance to the legislative purpose of this committee.

Mr. MOULDER. Then the last question is, Do you know of any Communists, active Communist Party members in the Chicago area?

(The witness conferred with his counsel.)

Mr. CRILEY. Mr. Chairman, I believe again that this question moves into an area which invades the guarantees of the first amendment, guaranteeing freedom of assembly, freedom of speech, freedom of press, and the right to petition for—the microphone is off.

Mr. MOULDER. Do you have any information concerning the objectives of Communist Party activities and infiltration of Communist Party propaganda in labor unions within the area of Chicago?

Mr. CRILEY. I didn't finish.

Mr. MOULDER. I am asking do you have any such information, do you know about it?

Mr. CRILEY. The microphone is dead, Mr. Chairman, and in the course of it, I am afraid I missed the key part of your question, but I would like to state for the record that I did not complete my previous answer and this disturbed me a bit so that I didn't follow the second question that you asked me.

Mr. MOULDER. The second question?

Mr. CRILEY. The question you just asked me, sir.

Mr. MOULDER. The second question I just asked you—now, you understand these questions and you know what we are asking—was whether you have any information concerning Communist infiltration and Communist Party activities in any labor union within the Chicago area. What we are trying to find out particularly at this hearing is the activities and the work of the Communist Party to infiltrate and dominate and destroy organized labor in the Chicago area. Now, do you have any such information?

(The witness conferred with his counsel.)

Mr. CRILEY. I am sorry, sir. It seems to me that there were several different questions involved in one.

Mr. MOULDER. Just a very simple question. Do you have any knowledge or information concerning Communist Party activities in their efforts to infiltrate and dominate a labor union, any labor union, in the Chicago area?

(The witness conferred with his counsel.)

Mr. MOULDER. That requires just a simple yes or no answer.

Mr. CRILEY. Shall I proceed without the microphone?

Mr. MOULDER. You do know or don't know.

Mr. CRILEY. Should I proceed without the microphone? It is off.

Mr. Chairman, the question may be clear and yet there is involved a question of what we might call semantics, because the word infiltrate, like the word American or un-American, is subject to a multitude of interpretations.

Mr. MOULDER. All right. Let us make it simple, then. Leave out infiltration. I think you understand what I mean. Then I will ask you if you have any knowledge or information whatsoever concerning Communist Party leaders, Communists, in other words, any information concerning their efforts to dominate and control the functions of any labor union in the Chicago area.

(The witness conferred with his counsel.)

Mr. CRILEY. Mr. Chairman, I am bothered by this thing.

Mr. MOULDER. We can hear you clear enough. The reporter can hear you. First, it just calls for a very simple answer, yes or no, and then we will proceed from there.

Mr. CRILEY. Mr. Chairman, it isn't so simple because I cannot in conscience answer that question because, in my opinion, it is a vague question, a question that does not have a clear, legitimate purpose.

Mr. MOULDER. Let's proceed, Mr. Arens, with the next question.

Mr. ARENS. Mr. Criley, have you been an author in the course of your career?

(The witness conferred with his counsel.)

(Representative Moulder left the hearing room.)

Mr. ARENS. Would you kindly answer the question?

(The witness conferred with his counsel.)

Mr. WILLIS (presiding). What is the pending question?

Mr. CRILEY. I believe the question was asked of you, Mr. Arens. What is the pending question?

Mr. ARENS. The pending question is, Have you ever been an author in the course of your career?

(The witness conferred with his counsel.)

Mr. CRILEY. Will the record show, by the way, that Mr. Moulder has left and that the Chair has been taken by Mr. Willis and that one of the members of the subcommittee is absent?

Mr. JOHANSEN. Mr. Chairman, I suggest that the Chair direct the witness to answer the question and that the instructions to the reporter be given by the Chair.

Mr. WILLIS. I must order you to answer the question.

Mr. CRILEY. I must refuse, sir, to answer that question, first of all, because I cannot see any conceivable relationship between whether or not I have been an author.

Mr. ARENS. Let us hesitate. I will display to you an exhibit.

Mr. CRILEY. And the legislative purpose of this committee. I also wish to cite a fact that this is, I think, a clear-cut invasion of my right under the first amendment to freedom of the press, in other words, to write and publish as I so choose. I cannot see how this can, by any stretch of the imagination, be made a proper subject matter for a question to guide the committee for the purposes of making or seeing about the execution of laws.

Mr. WILLIS. You properly invoked your right.

Mr. CRILEY. I would also——

Mr. ARENS. Now, Mr. Criley, you have been identified by a live witness under oath before this committee as a member of the Communist Party. I have in my hand now a document "Inform or Else." The document says, "This pamphlet was written for the James Keller Defense Committee by Richard L. Criley."

For the purpose of ascertaining what your activities may have been in the dissemination and preparation of Communist propaganda, so that this committee can adequately appraise the administration and operation of the Internal Security Act of 1950, which undertakes to cope with Communists and Communist propaganda, I now lay before you this document and ask you whether or not you are the Richard L. Criley who prepared the document entitled "Inform or Else."

(Document handed the witness.)

(The witness conferred with his counsel.)

Mr. CRILEY. Mr. Arens, may I have a glass of water? If the microphone is not working it is a little harder on my voice.

Mr. ARENS. Yes, sir; you surely may.

Mr. CRILEY. And counsel would like a glass of water, too.

Mr. ARENS. Now, would you kindly answer the question?

Mr. CRILEY. Mr. Chairman, this pamphlet that has been brought to my attention signed by Richard L. Criley, deals with the supervisory parole phase of the Walter-McCarran law. The pamphlet was highly critical of this law, which by coincidence is a piece of legislation very dear to the chairman of this committee, Mr. Francis Walter. And I point to the very question as illustrating the validity of my refusal to answer previous questions, in that the entire calling of me on this witness stand becomes more and more clearly an act of harassment, because I have been a critic of this committee, of the Walter-McCarran law, and other things which Mr. Francis Walter does not agree with me.

I am, therefore, going to be compelled to refuse to answer the question on the grounds that the questions are being not asked for a legislative purpose at all, but are clearly intended as a harassment and

punishment of a critic of this committee and of Mr. Walter, and for all of the other reasons which I have cited before which I will gladly repeat if there is any question of the court record.

Mr. ARENS. Mr. Chairman, I insist that the record be clear on one point.

Are you, in response to the question which is last outstanding respecting your authorship of this pamphlet, invoking that part of the fifth amendment to the Constitution of the United States which gives you the privilege of declining to give testimony which might be used to incriminate yourself?

Mr. CRILEY. Mr. Arens, I think I stated quite clearly before—but I shall gladly repeat it again—that I am invoking the due process clause of the fifth amendment as it relates to the several different grounds that I have given before for refusal to answer, all of which are based upon the Watkins decision of the United States Supreme Court.

Mr. ARENS. Now, Mr. Chairman, I respectfully suggest, so that this record may be abundantly clear, that the witness not having invoked that part of the Constitution which gives him the privilege not to give testimony which can be used against himself in a criminal proceeding now be ordered to answer the question.

Mr. WILLIS. I order you to answer the question, and I will tell you why. I disagree with the constitutional grounds that you referred to. I do not want to debate on it. I am bound as chairman under court decisions to indicate our disagreement. Now, you have not, as counsel pointed out, invoked the provisions of the fifth amendment with regard to giving testimony that might tend to incriminate you. As I understand it, you have not invoked that, is that correct?

Mr. CRILEY. Mr. Willis, you are correct; and as a leader of the Civil Liberties organization, I also want to make it clear that it is not the purpose of debate with the views on constitutionality of the committee, but rather my desire to try to make the record clear as to what constitutional grounds upon which I am standing in my refusal to answer these questions. I would therefore like to have your permission to, as briefly and concisely as possible, state them again. Because of the many interruptions before, I am not sure how clearly I outlined them and, not being a lawyer, do not know if I cited all the grounds.

Mr. WILLIS. You stated them so clearly that both counsel and I got the point.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the document which I have displayed to this witness, entitled "Inform or Else," in which it says, "This pamphlet was written for the James Keller Defense Committee by Richard L. Criley," be appropriately marked and be incorporated by reference in this record so that this committee, when it returns to Washington with this fund of information, will be able to pursue its legislative objectives in undertaking to appraise the administration and operation of the Internal Security Act, the Communist Control Act, the Foreign Agents Registration Act, and other legislation on the books dealing specifically with Communist propaganda.

Mr. WILLIS. The document will be so marked.

(Document marked "Criley Exhibit No. 1" and retained in committee files.)

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. WILLIS. The witness is excused.

We will take a 5-minute recess.

(Subcommittee members present, Representatives Willis and Johansen.)

Mr. MOULDER. Call your next witness, Mr. Arens.

Mr. ARENS. Leslie Orear, please come forward and remain standing while the chairman administers the oath.

(Mr. Johansen entered the hearing room.)

(Subcommittee members present: Representatives Moulder, Willis, and Johansen.)

Mr. MOULDER. Do you solemnly swear the testimony you are about to give before this subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. OREAR. I do, Mr. Congressman.

Mr. MOULDER. Be seated.

TESTIMONY OF LESLIE OREAR, ACCOMPANIED BY COUNSEL, BELFORD V. LAWSON, JR.

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. OREAR. My name is Leslie Orear. I live at 10931 Hermosa Avenue, Chicago, Ill. I am an employee of the United Packinghouse Workers of America in the capacity of director of its department of publications.

Mr. ARENS. Mr. Orear, you are appearing today in response to a subpoena which was served upon you by this committee?

Mr. OREAR. I am.

Mr. ARENS. And you are represented by counsel?

Mr. OREAR. I am.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. LAWSON. I am Belford Lawson, Washington, D.C.

Mr. ARENS. Mr. Orear, how long have you maintained your present position?

Mr. OREAR. Precisely since January 1957.

Mr. ARENS. And what are your duties?

Mr. OREAR. I am the editor of the national publication of this union.

Mr. ARENS. And the name of it, please, sir?

Mr. OREAR. Is The Packinghouse Worker.

Mr. ARENS. And what was your occupation immediately prior to your present occupation?

Mr. OREAR. What would "immediately prior" be—you mean just before I assumed that title?

Mr. ARENS. Just before you assumed this job in 1957 as director of publications of United Packinghouse Workers.

Mr. OREAR. I was acting in the capacity of editor of The Packinghouse Worker.

Mr. ARENS. Over what period of time did you hold that position?

Mr. OREAR. Since approximately October 1953.

Mr. ARENS. And what was your position prior to that?

Mr. OREAR. I was an international representative of the union.

Mr. ARENS. And for what period of time did you serve in that capacity?

Mr. OREAR. If we may use the thing loosely I have been a representative of the union since October 1938. We will come to the point.

Mr. ARENS. Give us, if you please, sir, just a word about your personal life. When and where were you born?

Mr. OREAR. I was born May 11, 1911 in Marshall, Missouri.

Mr. ARENS. And give us a word about your education.

Mr. OREAR. I have been educated in the city of Chicago, and for 2 years at the University of Wisconsin.

Mr. ARENS. When did you complete your formal education?

Mr. OREAR. This would be 1931.

Mr. ARENS. And what occupation were you engaged in between 1931 and 1938 when you became an international representative of the UPWA?

Mr. OREAR. I was an employee of Armour Co.

Mr. ARENS. In what capacity, please?

Mr. OREAR. A laborer.

Mr. ARENS. Where?

Mr. OREAR. Chicago, Ill.

Mr. ARENS. Mr. Orear, are you now, or have you ever been, a member of the Communist Party?

Mr. OREAR. I must decline to answer that question on the grounds that to answer it may tend to incriminate me.

Mr. ARENS. Are you now a member of the Communist Party?

Mr. OREAR. I am not, sir.

Mr. ARENS. Have you been a member of the Communist Party any time in the course of the last 5 years?

Mr. OREAR. I must—oh, last 5 years, what date would that be?

Mr. ARENS. Five years ago, 1954.

Mr. OREAR. The answer—

(The witness conferred with his counsel.)

Mr. OREAR. No, I have not been a member of the Communist Party since 1954.

Mr. ARENS. Yes.

Mr. OREAR. No indeed.

Mr. ARENS. Did you resign technical membership in the Communist Party?

Mr. OREAR. I decline to answer this question on the grounds to do so may tend to incriminate me.

Mr. ARENS. Have you ever signed a non-Communist affidavit?

Mr. OREAR. No, sir; I have not.

Mr. ARENS. Do you know a man by the name of Carl Nelson?

Mr. OREAR. Yes, I do know Carl Nelson.

Mr. ARENS. Carl Nelson testified this morning that while he was a member of the Communist Party he knew you as a member of the Communist Party. Was he in error or was he telling the truth?

Mr. OREAR. I decline to answer this question on the grounds it may tend to incriminate me.

Mr. ARENS. Were you a member of the Communist Party 6 years ago?

Mr. OREAR. The precise date, 1953?

Mr. ARENS. Yes, sir.

Mr. OREAR. I was not a member of the Communist Party.

Mr. ARENS. Were you a member of the Communist Party in 1952?

Mr. OREAR. No, sir; I was not.

Mr. ARENS. Were you a member of the Communist Party?

Mr. OREAR. Check. If you specify what period of time you are speaking of.

Mr. ARENS. In 1952, during any time, were you a member of the Communist Party?

Mr. OREAR. At this point I will assert the fifth amendment.

Mr. ARENS. Have you broken with the Communist Party?

Mr. OREAR. I decline to answer the question, sir, on the grounds that it may tend to incriminate me. Not being very clear what the question is.

Mr. ARENS. Are you now against the Communist Party?

Mr. OREAR. Yes, I have a strong antipathy to the Communist Party.

Mr. ARENS. Do you know persons presently in the Chicago area who, to your certain knowledge, in 1952 were members of the Communist Party?

Mr. OREAR. I may ask you to rephrase the question; restate the question.

Mr. ARENS. Do you now know the names of persons who live and operate in the Chicago area who, to your certain knowledge, were members of the Communist Party in 1952?

Mr. OREAR. I decline to answer the question on the grounds that to do so may tend to incriminate me.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. MOULDER. Any questions, Mr. Willis?

Mr. WILLIS. No questions.

Mr. JOHANSEN. No questions.

Mr. MOULDER. We thank the witness and the counsel for the appearance before the committee, and I commend you for your straightforward conduct and response to the questions that were propounded to you.

Mr. OREAR. Thank you, Mr. Chairman.

Mr. MOULDER. Next witness.

Mr. ARENS. Next witness, if you please, Mr. Chairman, will be Mr. Leon Beverly.

Will you remain standing while the chairman administers an oath.

Mr. MOULDER. Do you solemnly swear that the testimony which you are about to give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BEVERLY. I do.

Mr. MOULDER. Be seated.

TESTIMONY OF LEON BEVERLY, ACCOMPANIED BY COUNSEL, BELFORD V. LAWSON, JR.

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. BEVERLY. Leon Beverly, 1807 South Harding. I am now field representative for United Packinghouse Workers.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by this committee?

Mr. BEVERLY. Yes, sir.

Mr. ARENS. And you are represented by counsel?

Mr. BEVERLY. I am.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. LAWSON. Belford V. Lawson, Washington, D.C.

Mr. MOULDER. I didn't understand the witness' name.

Mr. BEVERLY. Leon Beverly.

Mr. MOULDER. How do you spell that?

Mr. BEVERLY. L-e-o-n B-e-v-e-r-l-y.

Mr. ARENS. Mr. Beverly, how long have you maintained your present job?

Mr. BEVERLY. August.

Mr. ARENS. In what capacity again?

Mr. BEVERLY. Field representative.

Mr. ARENS. Where are you located?

Mr. BEVERLY. 4859 South Wabash.

Mr. ARENS. What was your employment immediately prior to your present employment?

Mr. BEVERLY. Full time president of Local 347.

Mr. ARENS. 347 of what?

Mr. BEVERLY. United Packinghouse Workers.

Mr. ARENS. Over what period of time did you have that job?

Mr. BEVERLY. From 1951 up to January of this year.

Mr. ARENS. What was your employment immediately prior to that?

Mr. BEVERLY. Armour Co.

Mr. ARENS. Over what period of time were you employed at Armour & Co.?

Mr. BEVERLY. 1937. I am still on leave from Armour Co.

Mr. ARENS. In what capacity were you employed there?

Mr. BEVERLY. Laborer.

Mr. ARENS. Are you now, or have you ever been, a member of the Communist Party?

Mr. BEVERLY. I decline to answer that question.

Mr. ARENS. Why?

Mr. BEVERLY. Based on my previous understanding of the fifth amendment.

Mr. ARENS. Do you honestly apprehend that if you told this committee truthfully whether or not you have ever been a member of the Communist Party, you would be supplying information that might be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. BEVERLY. Yes, sir.

Mr. ARENS. Are you now a member of the Communist Party?

Mr. BEVERLY. No.

Mr. ARENS. Have you resigned technical membership in the Communist Party so that you could deny membership in the Communist Party, yet maintain yourself in the Communist operation?

Mr. BEVERLY. I decline to answer that question based on my rights under the fifth amendment.

Mr. ARENS. Do you know a man by the name of Carl Nelson?

Mr. BEVERLY. Sure.

Mr. ARENS. Carl Nelson took an oath this morning and said that while he was a member of the Communist Party he knew you as a

member of the Communist Party. Was he in error or was he telling the truth?

Mr. BEVERLY. I decline to answer that question based on my rights under the fifth amendment.

Mr. ARENS. Do you presently have information of persons who, in the recent past, have been members of the Communist Party active in the Chicago area?

Mr. BEVERLY. I don't understand your question.

Mr. ARENS. Do you have information now, are you presently possessed of information respecting persons who are, or in recent past have been, members of the Communist Party in the Chicago area?

(The witness conferred with his counsel.)

Mr. BEVERLY. I have no knowledge. I have no knowledge, sir, to my recollection.

Mr. ARENS. Do you know persons who have been members of the Communist Party in the Chicago area?

Mr. BEVERLY. I refuse to answer that question based on my rights under the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully submit that will conclude the staff interrogation of this witness.

Mr. MOULDER. Just a moment, please. Mr. Willis, any questions?

Mr. WILLIS. No.

Mr. JOHANSEN. No questions.

Mr. MOULDER. I also want to commend you and counsel in the manner in which you appear before this committee, not that I approve or disapprove of your responses to the questions, but you certainly have made no effort to delay the proceedings by dilatory speeches and statements.

I also want to say this: That during more than 10 years I have served as a member of this committee—and I am sure the other members will concur with me—in spite of the greatest concentrated effort on the part of the Communist Party leadership on the Negro race, they have had, I would say, a minimum success, if any, and as far as our proceedings in hearings have revealed, have had no success whatsoever in influencing your great race of people.

Mr. LAWSON. Thank you very much.

Mr. ARENS. Next witness, if you please, Mr. Chairman, will be Mr. Samuel J. Parks, Jr.

Kindly come forward and remain standing while the chairman administers an oath to you.

Mr. MOULDER. Do you solemnly swear that the testimony which you are about to give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PARKS. I do.

TESTIMONY OF SAMUEL J. PARKS, JR., ACCOMPANIED BY COUNSEL, BELFORD V. LAWSON, JR.

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. PARKS. Before you ask any questions there is one question I want to know. I received this subpoena. Here it is. Also I am losing money by being here.

Mr. MOULDER. I am glad you bring that point up.

Mr. PARKS. Let me finish. I got my car over in the garage. Been there since 10 o'clock, and they do not charge lightly over there for it. You know I just can't afford financial support for sitting here losing money and then got to pay out money, you know, to be here.

Mr. ARENS. Would you kindly answer the question?

Mr. PARKS. No, I would like to know am I going to be remunerated for being here. That is my question.

Mr. ARENS. Would you please answer the question?

Mr. MOULDER. Wait a minute. We should have announced at the end of the testimony of each and every witness who has appeared before the committee that they can claim witness fees and should sign the vouchers for their attendance and the witness fees, as provided by law, after the completion of their testimony.

Mr. PARKS. Thank you.

Mr. MOULDER. I don't know who on the staff is attending to that.

Mr. PARKS. I will be around to see the gentlemen when I get through.

Mr. MOULDER. Yes, that is right.

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. PARKS. My name is Samuel J. Parks, Jr., 614 East 62d Street. I am the operator of a service station.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by this committee?

Mr. PARKS. I didn't get what you said.

Mr. ARENS. You are appearing today in response to a subpoena?

Mr. PARKS. This subpoena, yes.

Mr. ARENS. You are represented by counsel?

Mr. PARKS. I am.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. LAWSON. Belford Lawson, Washington, D.C.

Mr. ARENS. How long have you been engaged at the gas station?

Mr. PARKS. April 1957.

Mr. ARENS. What was your employment immediately prior to that?

Mr. PARKS. Director of the Anti-Discrimination Department, UPW, AFL-CIO, District 1.

Mr. ARENS. How long did you occupy that position?

Mr. PARKS. For around 3 years.

Mr. ARENS. What was your occupation immediately prior to that occupation?

Mr. PARKS. Secretary-treasurer of District No. 1.

Mr. ARENS. Of what?

Mr. PARKS. UPW, AFL-CIO.

Mr. ARENS. How long did you occupy that position?

Mr. PARKS. Around 4 years.

Mr. MOULDER. How long?

Mr. PARKS. Around 4 or 5 years. It has been so long ago. I don't know approximately.

Mr. ARENS. Have you ever been a candidate for public office?

Mr. PARKS. I refuse to answer that question on the grounds it may tend to incriminate me.

Mr. ARENS. I lay before you now a thermofax reproduction of a leaflet or flyer, "Sam Parks for Congress," and ask you whether or not the facts recited there respecting your candidacy for Congress are true and correct.

(The witness conferred with his counsel.)

Mr. PARKS. What is your question relative to that again?

Mr. ARENS. Are the facts recited in this document which I have just displayed to you, this leaflet respecting the candidacy of Sam Parks for Congress; are those facts correct?

Mr. PARKS. I refuse to answer that question for the same reasons I have just stated.

(Document marked "Parks Exhibit No. 1" and retained in committee files.)

Mr. ARENS. Were you a member of the Communist Party when you ran for Congress on the Progressive Party ticket?

Mr. PARKS. I refuse to answer that question on the grounds it may tend to incriminate me.

Mr. ARENS. Are you now, or have you ever been, a member of the Communist Party?

Mr. PARKS. I refuse to answer that question on the same basis.

Mr. ARENS. Are you now a member of the Communist Party?

Mr. PARKS. I am not a member of the Communist Party.

Mr. ARENS. Have you ever been a member of the Communist Party?

Mr. PARKS. I refuse to answer that question on the grounds it may tend to incriminate me.

Mr. ARENS. Did you resign technical membership in the Communist Party so you could take an oath and deny current membership in the Communist Party and stay within the Communist Party operation?

Mr. PARKS. I refuse to answer the question on the grounds it may tend to incriminate me.

Mr. ARENS. Mr. Chairman, I respectfully submit that will conclude the staff interrogation of this witness.

Mr. MOULDER. Any questions, Mr. Willis?

Mr. WILLIS. No.

Mr. JOHANSEN. No.

Mr. MOULDER. Call your next witness, Mr. Arens.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Mr. Jack Souther. Will you please come forward?

Mr. MOULDER. Do you solemnly swear that the testimony you are about to give before the committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SOUTHER. I do.

TESTIMONY OF JACK SOUTHER, ACCOMPANIED BY COUNSEL, BELFORD V. LAWSON, JR.

Mr. ARENS. Please identify yourself by name, residence, and occupation?

Mr. SOUTHER. Jack Souther, 5214 South Springfield Avenue. I am secretary-treasurer of District 1, United Packinghouse Workers of America, AFL-CIO.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you?

Mr. SOUTHER. I am.

Mr. ARENS. And you are represented by counsel?

Mr. SOUTHER. I am.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. LAWSON. Belford V. Lawson, Washington, D.C.

Mr. ARENS. Mr. Souther, how long have you maintained your present job with United Packinghouse Workers of America?

Mr. SOUTHER. Since 1952.

Mr. ARENS. Are you now, or have you ever been, a member of the Communist Party?

Mr. SOUTHER. I refuse to answer that question. It might tend to incriminate me.

Mr. ARENS. Mr. Carl Nelson testified this morning that while he was a member of the Communist Party a number of people resigned technical membership in the Communist Party, but stayed within the Communist Party operation as Communists so that they could deny present technical membership in the Communist Party if they were ever confronted with the question on that score. Did you resign technical membership in the Communist Party but maintain yourself in the Communist Party operation?

Mr. SOUTHER. I refuse to answer that question.

Mr. ARENS. Mr. Nelson said he knew you as a member of the Communist Party. Was he in error on that identification, or was he telling the truth?

Mr. SOUTHER. I refuse to answer that question.

Mr. ARENS. Mr. Chairman, I respectfully submit that will conclude the staff interrogation of this witness.

Mr. WILLIS. Mr. Counsel, you should divide your general question for this witness. I think, unless I misunderstand you, you said "Are you now, or have you ever been." Divide the question.

Mr. ARENS. Are you now a member of the Communist Party?

Mr. SOUTHER. No.

Mr. ARENS. Have you ever been a member of the Communist Party?

Mr. SOUTHER. I refuse to answer that question.

Mr. ARENS. Did you resign technical membership in the Communist Party but maintain yourself in the Communist operation?

Mr. SOUTHER. I refuse to answer that question.

Mr. ARENS. If you gave a truthful answer to that question would you be giving us information which might be used against you in a criminal proceeding?

Mr. SOUTHER. I refuse to answer that question.

Mr. ARENS. Mr. Chairman, I respectfully submit that will conclude the staff interrogation of this witness.

Mr. MOULDER. I understand you decline to answer the last questions that have been propounded to you for the first reason previously stated, namely, that you claim the protection, your privilege under the Constitution in declining to answer, is that right, Mr. Lawson?

Mr. LAWSON. That is right.

Mr. SOUTHER. That is right.

Mr. MOULDER. All right.

Mr. SOUTHER. No; I did not refuse to denounce my membership now.

Mr. MOULDER. Yes; you answered that. You denied present membership in the Communist Party.

Mr. SOUTHER. I am not now a member.

Mr. MOULDER. Right. We understand.

Claim the witness fee by signing the voucher.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Gloria Wailes.

Please come forward.

Mr. MOULDER. Please raise your right hand and be sworn. Do you solemnly swear the testimony you are about to give before the committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. WAILES. I do.

TESTIMONY OF GLORIA WAILES, ACCOMPANIED BY COUNSEL, BELFORD V. LAWSON, JR.

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mrs. WAILES. I am Mrs. Gloria Wailes and I reside at 6922 South Prairie Avenue and I am a secretary.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by this committee?

Mrs. WAILES. Yes; I am.

Mr. ARENS. And you are represented by counsel?

Mrs. WAILES. Yes; I am.

Mr. ARENS. Counsel, kindly identify yourself on this record?

Mr. LAWSON. Belford V. Lawson, Washington, D.C.

Mr. ARENS. Where are you employed, Mrs. Wailes?

Mrs. WAILES. I am employed as a secretary at the international office of the United Packinghouse Workers of America.

Mr. ARENS. How long have you been so employed?

Mrs. WAILES. Three and a half years.

Mr. ARENS. What was your employment immediately prior to your present employment?

Mrs. WAILES. Secretary to Local No. 25 of the United Packinghouse Workers of America.

Mr. ARENS. Located in Chicago?

Mrs. WAILES. That is correct.

Mr. ARENS. Over what period of time were you so employed?

Mrs. WAILES. Five years.

Mr. ARENS. And what was your occupation prior to that?

Mrs. WAILES. I refuse to answer that question. It might tend to incriminate me.

Mr. ARENS. Are you now, or have you ever been, a member of the Communist Party?

Mrs. WAILES. Would you clarify yourself?

Mr. ARENS. Yes. Are you now, or have you ever been, a member of the Communist Party?

Mrs. WAILES. I am not a member of the Communist Party.

Mr. ARENS. Have you ever been a member of the Communist Party?

Mrs. WAILES. I refuse to answer that question. It might tend to incriminate me.

Mr. ARENS. Did you resign technical membership in the Communist Party but maintain yourself in the Communist operation so that you could take an oath and deny current, present membership in a formal entity known as the Communist Party?

Mrs. WAILES. Would you please clarify yourself?

Mr. ARENS. Did you resign technical membership in the Communist Party but maintain yourself in the Communist operation?

Mrs. WAILES. I refuse to answer that question on the basis it might tend to incriminate me.

Mr. ARENS. Mr. Carl Nelson took an oath this morning and testified respecting the technique and strategy and tactics, in the recent past, being used by the Communist conspiracy whereby the comrades resign technical membership in a formal entity known as the Communist Party and maintain themselves in the Communist Party operation. He likewise testified that while he was a member of the formal entity known as the Communist Party he knew you as a member of the Communist Party.

Was he in error in that identification, or was he telling the truth?

Mrs. WAILES. What is your specific question?

Mr. ARENS. Was he in error when he identified you as a person who was known to him to be a member of the Communist Party?

(The witness conferred with counsel.)

Mrs. WAILES. I refuse to answer that question on the basis of the fifth amendment.

Mr. ARENS. Do you presently have information respecting persons who, in the recent past, to your certain knowledge have been members of the Communist Party?

Mrs. WAILES. I have no knowledge.

Mr. ARENS. Do you know people who have been members of the Communist Party?

Mrs. WAILES. I refuse to answer that question and I have constitutional right.

Mr. ARENS. Why do you refuse to answer that question?

Mrs. WAILES. Fifth amendment.

Mr. ARENS. Why do you refuse to answer that question?

Mrs. WAILES. Because under constitutional rights which I also have, even though I am a Negro; I refuse to answer that question on the basis of the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully, submit that will conclude the staff interrogation of this witness.

Mr. MOULDER. Any questions, Mr. Willis?

Mr. WILLIS. No.

Mr. MOULDER. Any questions Mr. Johansen?

Mr. JOHANSEN. No.

Mr. MOULDER. I want to ask one or two questions.

Mrs. WAILES. Sorry I can't hear you.

Mr. MOULDER. I want to ask one or two questions of you, Mrs. Wailes.

I understood you to say you are not now a member of the Communist Party.

Mrs. WAILES. No, sir.

Mr. MOULDER. And you have no association or connection with any of the Communist Party activities, is that correct?

Mrs. WAILES. That is correct.

Mr. MOULDER. You are engaged now working where?

Mrs. WAILES. A secretary.

Mr. MOULDER. As a secretary?

Mrs. WAILES. Yes.

Mr. MOULDER. Are you married?

Mrs. WAILES. Yes, I am.

Mr. MOULDER. Now I want to say this to you that your being subpoenaed before the committee within itself, by itself, does not carry with it any reflection or any questions as to your loyalty or patriotic loyalty as an American citizen whatsoever, and I have every reason to hope that you are.

You are excused as a witness and you may claim your witness fee.

Mrs. WAILES. Thank you.

Mr. ARENS. Joseph Zabritski, please come forward and remain standing while the chairman administers an oath.

Mr. MOULDER. Do you solemnly swear that the testimony you are about to give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ZABRITSKI. I do.

TESTIMONY OF JOSEPH ZABRITSKI, ACCOMPANIED BY COUNSEL, BELFORD V. LAWSON, JR.

Mr. ARENS. Kindly identify yourself by name, residence, and occupation?

Mr. ZABRITSKI. Joseph Zabritski, 4315 South Spaulding; I am a plumber.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. ZABRITSKI. Yes, sir.

Mr. ARENS. And you are represented by counsel?

Mr. ZABRITSKI. Yes, sir.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. LAWSON. Belford V. Lawson, Washington, D.C.

Mr. ARENS. Where are you employed, Mr. Zabritski?

Mr. ZABRITSKI. I am employed at the Hawthorne Plumbing Co.

Mr. ARENS. How long have you been so employed?

Mr. ZABRITSKI. A little over 2 years.

Mr. ARENS. What was your employment immediately prior to your present employment?

Mr. ZABRITSKI. Oh, I have jobs off and on ever since I left Wilson & Co. in 1955.

Mr. ARENS. Where were you employed?

Mr. ZABRITSKI. I had several jobs since then.

Mr. ARENS. Give us the basic jobs that you held prior to your present job, the principal employments.

Mr. ZABRITSKI. Well, I worked for—Oh, I don't know the names of all these companies. A little place on the North Side just on the

other side of Chicago Avenue. I worked there about 2 months. And I worked for the old plant of Miller & Hart there for about 2 months and then before that I was working for the Local 25.

Mr. ARENS. Local 25 of what?

Mr. ZABRITSKI. United Packinghouse Workers of America.

Mr. ARENS. Were you ever president of Local 25?

Mr. ZABRITSKI. Yes, sir; I was.

Mr. ARENS. Over what period of time were you president of Local 25?

Mr. ZABRITSKI. I think around—I think around 1953, 1954, and 1955.

Mr. ARENS. Did you ever sign a non-Communist affidavit?

Mr. ZABRITSKI. Yes, sir; I did.

Mr. ARENS. When?

Mr. ZABRITSKI. Oh, I guess right when it first became the law of the land.

Mr. ARENS. Was that in 1948?

Mr. ZABRITSKI. That is when it became the law of the land; yes, sir.

Mr. ARENS. Did you ever resign from the Communist Party?

Mr. ZABRITSKI. I take the fifth amendment, sir.

Mr. ARENS. Are you now, or have you ever been, a member of the Communist Party?

Mr. ZABRITSKI. I take the fifth amendment, sir.

Mr. ARENS. Are you now?

Mr. MOULDER. As suggested by the gentleman from Louisiana, please divide that question. Give the witness an opportunity to answer.

Mr. ARENS. I was about to do that.

Are you now a member of the Communist Party?

Mr. ZABRITSKI. No, sir; I am not.

Mr. ARENS. Did you resign technical membership in the Communist Party but maintain yourself in the Communist operation?

Mr. ZABRITSKI. I take the fifth amendment, sir.

Mr. ARENS. Do you know a man by the name of Carl Nelson?

Mr. ZABRITSKI. I take the fifth amendment, sir.

Mr. ARENS. Mr. Nelson testified this morning that during his career in the Communist Party a number of persons resigned technical membership in the Communist Party but maintained themselves in the Communist operations, and he testified further that while he was a member of the formal entity known as the Communist Party he knew you, sir, as a member of the Communist Party. Was he in error in that testimony, or was he correct?

Mr. ZABRITSKI. I take the fifth amendment, sir.

Mr. ARENS. Mr. Chairman, I respectfully submit that will conclude the staff interrogation of this witness.

Mr. MOULDER. Any questions, Mr. Willis?

Mr. WILLIS. Counsel, did you ask him the direct question whether he resigned technical membership in order to have the benefit of the invocation of the constitutional privilege?

Mr. ARENS. I asked him that question.

Mr. WILLIS. For the record I think those questions are very important from my point of view and should be answered under oath.

Mr. ARENS. I did ask him the question which you just repeated Mr. Willis, and he invoked the constitutional privilege in response to it.

Mr. JOHANSEN. I believe you testified that you did on occasion sign a loyalty oath?

Mr. ZABRITSKI. Yes, sir.

Mr. MOULDER. A non-Communist affidavit.

Mr. JOHANSEN. A non-Communist oath?

Mr. ZABRITSKI. Yes, sir.

Mr. JOHANSEN. Were you at the instant you signed that non-Communist oath a member of the Communist Party?

Mr. ZABRITSKI. No, sir.

Mr. MOULDER. May I ask you, going on farther so that the record may be clear: When was the affidavit signed, in what year?

Mr. ZABRITSKI. That will be the first year that it became the law, I don't remember when it was. I don't remember.

Mr. MOULDER. More than several years ago, in other words?

Mr. ZABRITSKI. Yes, sir.

Mr. MOULDER. Since that time have you contributed any dues or made any contributions to any cell in the Communist Party or any Communist Party activities?

Mr. ZABRITSKI. Since the time of—

Mr. MOULDER. Since 1948 or since you signed that affidavit that you referred to?

Mr. ZABRITSKI. Not that I know of.

Mr. MOULDER. That is the question and I want to make the record clear for your own protection so it will have the proper reflection upon you.

During all that period of time, you have not in any way associated yourself by participating in any Communist Party affairs; is that correct?

Mr. ZABRITSKI. I just been trying to make a living so I could support my family, that is about all.

Mr. MOULDER. Insofar as you realize or know, you have not since that time, in any way, associated with any activity of the Communist Party?

Mr. ZABRITSKI. No, sir.

Mr. MOULDER. The witness is excused.

You may claim your witness fees with Mr. Collins by signing a voucher, and Mr. Lawson I would suggest the other witnesses who haven't signed the vouchers should see Mr. Collins about it.

Mr. ARENS. We have no further witnesses for today, Mr. Chairman.

Mr. MOULDER. The committee will recess until 10 o'clock tomorrow.

(Whereupon, at 3:40 p.m., Tuesday, May 5, the subcommittee adjourned to reconvene at 10 a.m., Wednesday, May 6, 1959.)

COMMUNIST INFILTRATION OF VITAL INDUSTRIES AND CURRENT COMMUNIST TECHNIQUES IN THE CHICAGO, ILL., AREA

WEDNESDAY, MAY 6, 1959

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Chicago, Ill.

PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:15 a.m., in courtroom 209, United States Courthouse, 219 South Clark Street, Chicago, Ill., Hon. Morgan M. Moulder (subcommittee chairman) presiding.

Subcommittee members present: Representatives Morgan M. Moulder of Missouri, Edwin E. Willis of Louisiana and August E. Johansen of Michigan.

Staff members present: Richard Arens, staff director, and Raymond T. Collins, investigator.

Mr. MOULDER. The committee will be in order.

I have received a telegram from Mr. Ralph Helstein, president of the United Packinghouse Workers AFL-CIO, wherein he states that Mr. Jesse Prosten has not been hiding out from the committee somewhere in the southeast trying to avoid service of a subpoena, that he is in St. Paul and that he resents much, during the course of the hearings, the statement that he is hiding out, that he has secured permission to return to Chicago on Wednesday, May 6, and that he will be available as a witness to appear in the hearings on Thursday, May 7.

Call your next witness, Mr. Arens.

Mr. ARENS. Mr. John Hackney, kindly come forward.

Please remain standing while the chairman administers an oath.

Mr. MOULDER. Do you solemnly swear that the testimony you are about to give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HACKNEY. I do.

TESTIMONY OF JOHN R. HACKNEY

Mr. ARENS. Mr. Chairman, if you would be good enough to bear with us for a few seconds while this microphone system is being adjusted.

Mr. MOULDER. Sure.

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. HACKNEY. My name is John R. Hackney. I live at 7337 Calumet, Chicago. I am employed as an international representative for the Amalgamated Meat Cutters and Butcher Workmen of North America, AFL-CIO.

Mr. ARENS. How long have you occupied that position?

Mr. HACKNEY. Since March 24, 1952.

Mr. ARENS. Give us a word, please, sir, respecting previous occupations you have had since you reached adulthood, just the principal previous occupations.

Mr. HACKNEY. Previous occupations were—

Mr. MOULDER. The committee will stand in recess for a period of 10 minutes or until such time as the microphone can be adjusted.

(Committee members present: Representatives Moulder, Willis, and Johansen.)

(A brief recess.)

(Committee members present: Representatives Moulder, Willis, and Johansen.)

Mr. MOULDER. The committee will be in order.

Mr. ARENS. You were, as we suspended a moment ago, in the process of giving the principal occupations which you have had since you reached adulthood. Would you kindly proceed?

Mr. HACKNEY. I would say in 1925 I started to work with Swift & Company. In 1931 I went over to the G. H. Hammond plant and worked there until the United Packinghouse Workers conducted a campaign to organize the plant, in which I took an active part in the campaign and subsequently became the president of that local, Local 26.

I took a leave of absence at the request of the district director to take a job as a field representative for the United Packinghouse Workers, approximately in the year 1944 or 1943 and remained in that position until August 1948.

Mr. ARENS. Mr. Hackney, have you ever been a member of the Communist Party?

Mr. HACKNEY. Yes, I was a member of the Communist Party approximately from 1942 to 1948.

Mr. ARENS. Mr. Hackney, why did you join the Communist Party?

Mr. HACKNEY. Well, I was led to believe that the Communist Party was the spearhead of the rights of the Negro people.

Mr. ARENS. The record cannot reflect it. You are a member of the Negro race, is that correct?

Mr. HACKNEY. Correct.

Mr. ARENS. Would you proceed to tell us why you broke with the Communist Party?

Mr. HACKNEY. I found that they were misleading myself and my people in regards to conducting campaigns for purposes of making the Negro people believe that they were pioneering the fight for their rights.

Mr. ARENS. I expect to interrogate you at length in a few moments respecting the details of your membership in the Communist Party and undertake to solicit from you considerable information respecting Communist operations. I want, if you please, first, however, in order

to place your testimony in perspective to ask you a few general questions.

You told us that you were in the meat industry, in the packing-house industry during the course of most of your adult life?

Mr. HACKNEY. Since I was 17 years old.

Mr. ARENS. Does the Communist operation in the greater Chicago area covet, seek to penetrate—is it in a position of penetration in the meat industry?

Mr. HACKNEY. It is now and always has been.

Mr. ARENS. Why?

Mr. HACKNEY. Because the party felt that the meat industry was essential to the national economy and it was important that they build the party within the meat industry in the event that we had war with other nations, that we could control the meat industry and its various outlets.

Mr. ARENS. Mr. Hackney, based upon your extensive experience in the Communist Party, how serious is the Communist operation in the greater Chicago area on the basis of your most current information?

Mr. HACKNEY. From my most current information and my experience in my activity in the party I would say that the party is stronger now in the meat industry than it ever has been.

Mr. ARENS. The Communist Party as a formal entity has been reduced in size, has it not?

Mr. HACKNEY. It has been reduced in size because of, well, there are some people that they consider not good party material that couldn't serve the purpose of the party and they were removed from office one way or other, from position in the party, from membership in the party.

Mr. ARENS. Is there a distinction in your mind based upon your experience in the Communist Party between a person who is a member of the formal entity known as the Communist Party and a person who is a Communist in the Communist operation but who, for reasons of the conspiracy, is not a formal member of the entity known as the Communist Party?

Mr. HACKNEY. The distinction between an ordinary member and a genuine Communist is that a member is just an ordinary member where, in my opinion, a Communist is a leader and operates in leadership of the union.

Mr. ARENS. Are there any persons in the conspiracy as Communists who have resigned technical membership in the formal entity known as the Communist Party?

Mr. HACKNEY. Yes.

Mr. ARENS. Now, yesterday, and I am using this only from the standpoint of a simple illustration for the record which we are making today, yesterday we heard witnesses, some of whom had been identified as members of the Communist Party. When they appeared before this committee they said in effect that they were not then members of the Communist Party. When I asked them if they resigned technical membership in the formal entity known as the Communist Party in order to maintain themselves in the Communist operation, they refused to give us responses.

Do you have any recommendations, based upon your background and information, which could establish a criterion or test that can be

applied to determine whether or not a person who has resigned from technical membership in the formal entity known as the Communist Party is, in truth and in fact, out of the conspiracy?

Mr. HACKNEY. In my opinion if a person has resigned completely from the Communist Party he would come before this committee and he would say so and he would testify, the same as I am, and as far as experience I have had with members of the Communist Party resigning for technical reasons, I can cite you one particular case that comes in my mind and that was in the 1948 convention here in the city of Chicago.

There was a caucus meeting held of top party officials and for the purpose of deciding who was to resign from the party because of the refusal to sign the Taft-Hartley oath and in one particular case there was Meyer Stern, the district director of District 6 in New York, whom I knew to be a member of the party, and to my surprise I learned that he had resigned from the party the night before the election of officers took place and that he was now eligible to run for office and be reelected a district director of District 6 because he was now not a member of the party and free to sign a non-Communist affidavit.

Mr. ARENS. Did he maintain himself for all intents and purposes as an active member of the conspiracy?

Mr. HACKNEY. Yes.

Mr. MOULDER. Just to correct the record, Mr. Arens, I hope I am not too technical.

But do you know from your own personal knowledge that that reasoning and application of the reasoning that Mr. Arens has stated, applies to the witnesses who testified here yesterday?

The reference was made to those witnesses and I wonder if you know of your own personal knowledge anything about them in that respect?

Mr. HACKNEY. Most of them signed the affidavit after I left.

Mr. MOULDER. Then you don't know of your own personal knowledge that they are still active or associated with the Communist Party's philosophy and activities?

Mr. HACKNEY. No; I don't. No.

Mr. MOULDER. I see.

Mr. ARENS. As of the time you left the Communist Party, how intensive was the Communist penetration of the packinghouse industry in the greater Chicago area?

Mr. HACKNEY. In the greater Chicago area most of the local unions and the international positions in this organization were held by members that I know who have been members of the Communist Party.

Mr. ARENS. Before we get into the details of your participation in the Communist movement, I should like to ask you if, since you have broken from the Communist Party, you have been a consultant, a witness for the United States Government in certain proceedings?

Mr. HACKNEY. Yes; I have.

Mr. ARENS. In other words, the Government of the United States via the Justice Department and the Immigration and Naturalization Service and other agencies have availed themselves of your services in a public capacity giving the Government information respecting the operation of the conspiracy; is that correct?

Mr. HACKNEY. That is correct.

Mr. ARENS. Now, kindly tell us, if you please, where and when you joined the Communist Party.

Mr. HACKNEY. Well, I signed the card at the district headquarters of the UPWA. At that time it was located at 4758 South Marshfield. I remained in until—during the 1948 strike, up until that time. Sometime during 1947 I began to see through the conspiracy to mislead the people of the industry and particularly Negro people and I became fed up with it and I think that they suspected that I was becoming inactive and after the 1948 strike I received a letter from President Helstein that my services were no longer required because of the financial strain that was on the international in regards to the 1948 strike.

It was necessary to cut the staff at this time. And that I was one of those that had left the plant on a leave of absence, that I would be requested to go back to the plant, maintain myself until at such time the international saw fit to again increase its staff I would be given consideration.

However, when they did increase its staff I was replaced by a man from United Electrical Workers Union and I had left the party and apparently for that reason I wasn't called when they decided to increase the staff.

Mr. ARENS. Now, may I inquire, did you attend Communist Party training schools after your induction into the Communist Party?

Mr. HACKNEY. Yes; I did. That is one of the requirements. After they recruit you into the party you are not considered just good party material by simply joining the party. You have to be trained to become an aggressive leader in the union.

Mr. ARENS. Where were you trained?

Mr. HACKNEY. I went to school in Des Plaines.

Mr. ARENS. Des Plaines, Illinois?

Mr. HACKNEY. Des Plaines, Illinois. I went to, I believe, at that time it was called Abraham Lincoln Center on Oakwood Boulevard and Langley Avenue. We had classes there in regard to parliamentary procedure, public speaking, how to become a leader in the union. How to stand out so people will recognize you as being a leader. This would bring prestige to the party.

Mr. ARENS. Did you go to any other schools?

Mr. HACKNEY. That was all that I can recall at this time. I probably did. We had classes at 4848 Ashland Avenue at various times but how many classes I could not remember.

Mr. ARENS. Based upon your experience in the Communist Party and as one who was trained in the Communist Party training schools do you have any pronouncements to make respecting the connection between the Communist Party and the Communist operation in the United States and the international Communist conspiracy directed from Moscow?

Mr. HACKNEY. Well, they practically followed the same line.

Mr. ARENS. Is there a direct line of control?

Mr. HACKNEY. We always referred to our comrades in Russia and the trade-union movement in Russia and they are our comrades and naturally we all are in the same organization.

Mr. ARENS. Tell us, please, the various entities within the meatpacking industry to which you were connected as a comrade.

Mr. HACKNEY. I was connected as the chairman of the small house branch of the Packinghouse Section.

Mr. ARENS. What comprised the small house branch?

Mr. HACKNEY. The small house branch consisted of small plants that employed say 300 or 400 people, 100 people, and they were all combined together in one branch of the section.

Mr. ARENS. Could you tell us how the Packinghouse Section was made up?

Mr. HACKNEY. The Packinghouse Section was made up of three or four branches. There were the Swift branch, the Armour branch, the Wilson branch, and the small house branch.

Mr. ARENS. Who was chairman or in leadership capacity in the Swift branch?

Mr. HACKNEY. Well, they had a problem in the Swift plant branch. They were trying to find leadership. They had several that they tried. They had tried Ramirez. They tried John Lewis. They tried Charley Proctor.

Mr. ARENS. Were all of them known by you to be members of the Communist Party?

Mr. HACKNEY. Definitely.

Mr. ARENS. Did you serve in closed Communist Party meetings with them?

Mr. HACKNEY. Yes.

Mr. ARENS. How about the Armour branch. Who were in leadership capacity at the Armour branch?

Mr. HACKNEY. You had Leon Beverly, Joe Bezenhoffer. I have several names if you care to. I have some notes in my pocket.

Mr. ARENS. I want to get into the identities of a number of people a little later on. I just at the moment want the leaders. The Armour branch.

Mr. HACKNEY. Armour branch, Beverly, Bezenhoffer.

Mr. ARENS. Give the full names, please?

Mr. HACKNEY. Joe Bezenhoffer, Leon Beverly, Randolph Luke, Charles Mitchell.

Mr. ARENS. How about the Wilson branch?

Mr. HACKNEY. Wilson branch consisted of Joe Zabritski, Carl Nelson, Sam Parks.

Mr. ARENS. Were they the leaders?

Mr. HACKNEY. They were the top ones.

Mr. ARENS. How about the small house unit?

Mr. HACKNEY. As to the small house unit, I was the head of the small house unit. We had——

Mr. ARENS. Did you have associates in leadership?

Mr. HACKNEY. I had associates in the Miller & Hart plant, James Jesse Richards; in the Illinois Meat Co. we had a leader by the name of Jack Sechrest, and——

Mr. ARENS. Did that pretty well include the leadership?

Mr. HACKNEY. That included the top leadership. There were others but they were not considered leaders.

Mr. ARENS. As of the time you disassociated yourself from the Communist Party, who was the top leader of the Communist operation in the packinghouse industry in the greater Chicago area?

Mr. HACKNEY. Jesse Prosten.

Mr. ARENS. Give us a word about Jesse Prosten.

Mr. HACKNEY. Jesse Prosten was known as the brains behind the scene. He was considered the No. 1 party member in packing. He

is the comrade that had connections throughout the industry where there were other members of the party and there were other people that were not members of the party that he had good relationships with.

Mr. ARENS. What is his present job?

Mr. HACKNEY. I am told that his present job now is head of the grievance department of the UPWA. However, when I was associated with the United Packinghouse Workers he was head of the grievance department in the Armour chain. I since learned he had been promoted now to cover the entire grievance department there in the national union.

Mr. ARENS. Now, I should like, before we get into the identification of additional persons known by you to be Communists in the packinghouse industry, to ask you about certain phases of the activities in which the Communists were engaged, to your certain knowledge, while you were in the party assigned to the packinghouse industry. Do you have information respecting Communist Party activities in political campaigns?

Mr. HACKNEY. Very definitely. There is one that stands out very bold in my memory and that was the campaign to elect Pete Brown for alderman of the Second Ward. We had several meetings at 4848 Ashland and discussed the problem. When I said several meetings I don't mean meetings of the party itself, but I mean the top echelon. I was considered what you might call part of the top brass by virtue of me holding a chairmanship in the small house branch.

The top officials of the party would meet on various occasions and discuss strategy and plans and this particular time we discussed the possibility of running one of our people as an alderman of the Second Ward.

Pete Brown lived in the Second Ward. We had a meeting and discussed it at 4848 Ashland. We came to agreement there and left there and went to the South Side Branch of the Communist Party, with Claude Lightfoot and discussed it with him——

Mr. ARENS. Who was Claude Lightfoot?

Mr. HACKNEY. He was at that time the chairman of the South Side Branch of the Communist Party. We discussed it with him and reviewed the political work that took place in 1944 at which time we had a very effective ward organization and it was discussed that we should continue this ward organization because it was felt that we could use it for some political influence. We conducted a good campaign, showing progress.

Mr. ARENS. Were union funds utilized in the campaign?

Mr. HACKNEY. Definitely. I would say it this way: I was a full-time paid organizer for the UPWA. Pete Brown was a full-time paid organizer for the UPWA. And Sam Parks was paid by his local union, full time. And when we met these are the people that attended that meeting and mapped the strategy out.

Yes, there were other funds raised for the campaign. People were asked to come out of the plant on temporary leave to poll watchers to do whatever assignment they had for them.

Mr. ARENS. I would like to invite your attention to another area of Communist Party activity and solicit from you your frank statements and observations based upon your own experience. It has been

the experience of this committee, Mr. Hackney, as we go from area to area trying to develop information respecting the operation of the Communist conspiracy, that trained hard-core agents of the conspiracy sit opposite us here and surround themselves with an aura of sanctity saying that they are the ones that are advocating the preservation of precious rights and that this committee is the one that is destroying those rights, this committee is the witch hunter, this committee is the one that is trying to destroy the civil rights of the colored people of our country, that this committee is the entity that is against civil rights and the only reason why we have at any time a colored man before this committee is because he is a colored man and because we want to hold him up to ridicule and destroy him.

Now, based upon your experience in the Communist Party, are these comrades sincere when they make those protestations and surround themselves with that aura of respectability on their own conduct?

Would you just in your own way express yourself on this very crucial issue?

MR. HACKNEY. That very definitely in my opinion is an outright lie. They have portrayed themselves to be the pioneers for the rights of Negro people and I know from experience and past experience that they have used the many grievances of the Negro people for the purpose of building the party. They cite certain cases that they played an attractive role in getting some actions. One that comes in my mind is the Scottsboro case, that they contend that they were active in, well, the launching the forefront for the Scottsboro boys, gaining them a hearing—what were results of the hearing I don't know—but they contend they were in the forefront.

They contend they were in the forefront when the Negro people were being evicted during the depression era, that they were active in putting people back in their homes. Overall they contend that they are the pioneers for the rights of the Negro people.

MR. ARENS. Are they sincere in those protestations?

MR. HACKNEY. Definitely not.

MR. ARENS. Do you have any illustrations in your own mind from your own experience in which the Communist operations have actually discriminated against people of the Negro race for the interest of the advancement of the conspiracy?

MR. HACKNEY. Well, I would say if they were interested in Negro people I can cite you—this microphone is off now.

MR. MOULDER. The committee will recess for a period of 5 minutes or short period of time until the microphone can be properly adjusted.

(Members of the committee present: Representatives Moulder, Willis, and Johansen.)

(A brief recess.)

(Members of the committee present after recess: Representatives Willis and Johansen.)

MR. ARENS. Would you proceed on the matter which you were discussing and speak right into the microphone, please?

MR. HACKNEY. I can think of cases where they have—it's not on now.

MR. ARENS. If you will kindly speak into the speaker and just proceed with the information which you were in the process of supplying

to the committee when we had the interruption because of the temperament of the microphone system here.

Mr. HACKNEY. I would say that in many cases they have destroyed Negro leaders in the union that they felt were detrimental to their programs. I can cite a particular case of Phil Weightman. In my opinion Phil Weightman was a fighter for the rights of Negro people, who was vice president of the United Packinghouse Workers at the time I was there, and it seems that Phil Weightman would oppose them on certain issues, I imagine in the international executive board meetings, and for that reason Phil Weightman was, you might call, exterminated.

I can think of some other Negro leaders. It comes to my mind, Oscar Wilson was one time a field representative. Apparently he didn't go along with the program and eventually he was exterminated.

Mr. ARENS. May I just ask you your observation as to why the Communist Party has created such fronts as the National Negro Congress and others of like stripe with a front at least of attempting to beguile the American people into believing that they actually in truth and in fact are sincere in seeking betterment for the Negro citizenry?

Mr. HACKNEY. They set up these front organizations so that they cannot be connected with the party itself. The purpose of these organizations is to try to prove to the Negro people that this committee is fighting for the rights of the Negro people. They are not identified as a Communist organization. They are fronted through certain names like the Negro peoples' National Negro Congress, a few other names.

Mr. ARENS. Could you from your own experience give us an illustration or so of a front group in which you as a Communist participated on behalf of the Communist Party within a front group?

Mr. HACKNEY. I was active in the National Negro Congress.

Mr. ARENS. In what capacity?

Mr. HACKNEY. I was just active in the community in regards to get people out to vote, using the people that we had in the Negro National Congress to set up our ward organization.

Mr. ARENS. Were you also active in the Midwest Committee for Protection of Foreign Born?

Mr. HACKNEY. No, but that name came up many times when they were asked contributions to be sent to this organization.

Mr. ARENS. Would you give us just a few words respecting the technique of the Communist operation, what we will in this session characterize as the self-criticism discussions? Can you give us a word about that, the Communist technique?

Mr. HACKNEY. We had several of these sessions, they were called—sometime we called them bull session and sometime just have a meeting.

Where people are not too aggressive, it seems like they had fallen by the wayside and at these sessions you were to get up and point out your weaknesses, what you thought was wrong with you, criticize yourself and then you in turn would turn around and state what you thought you could do to correct your weaknesses.

At the same time you were to point out your own weaknesses you had an opportunity to criticize other people that you saw that had

certain weaknesses. We had several of these sessions for the purposes of, well, in their opinion you were not being active enough to reactivate you, make you more aggressive.

MR. ARENS. Could you give us a further word with respect to the techniques of collection of money for the operation of the conspiracy?

MR. HACKNEY. For example, there were mass rallies to raise money, to say fight for something that happened down South. I have in mind that there was a lynching down South. A big rally was held for the purpose of raising funds to see that people responsible for certain crimes in the South were brought to justice. We had many of these rallies.

MR. ARENS. Did the Communist Party have anything to do based upon your information with the financing of the present headquarters of the United Packinghouse Workers in the Chicago area?

MR. HACKNEY. Yes.

MR. ARENS. Can you tell us about that?

MR. HACKNEY. I happened to be at the ground-breaking ceremonies, I think the summer of 1947, and at that time I was standing in the crowd a man came up to me that I recognized as Seymour Siporin and he recognized me and we shook hands.

MR. ARENS. Was he a Communist?

MR. HACKNEY. Yes. He told me that he had designed this building and was in the process of building it.

MR. ARENS. Did he tell you about the processes of financing it?

MR. HACKNEY. No, he didn't tell me.

MR. ARENS. Can you tell us about any city-wide Communist Party meetings in the course of your experience in the Communist Party?

MR. HACKNEY. We had several citywide meetings, where we would meet Communist Party members from other organizations other than the packinghouse workers. They were at no particular time, just whenever the occasion called for it. We would have one of these citywide meetings and we would discuss problems on a citywide basis and statewide basis.

MR. ARENS. Mr. Hackney, of course it is obvious I know nothing about the meatpacking industry, but since we have been studying the Communist operation in this area I have learned just a little about it. I have learned that there has been in the course of the last few years a sort of a decentralization or a scattering of some of the meatpacking plants from the Chicago area on out into the Midwest and up into the Northwest to a degree at least, so we understand.

Has the Communist operation been following this decentralization operation, do you know?

MR. HACKNEY. No, I don't know of that. But in the city I would say that they remain with the industry as it stands. However, I learned that the packing industry in Chicago is only a shadow of what it was in 1948, in which I was president—

MR. ARENS. Can you tell us what the Communist means in Communist lingo or jargon by the word "colonizing"?

MR. HACKNEY. Colonizing means that you send a person into various localities where the party is weak, where they have very little party influence. I can cite one particular case that comes to my knowledge. The party was weak in the Swift plant and there was a Victoria Kramer sent into that plant for the purpose of activizing.

Mr. ARENS. Was Victoria Kramer a Communist?

Mr. HACKNEY. Yes.

She was planted in the Swift plant for the purpose of activizing the white women in the plant. I know Carl Nelson was sent from the Armour plant over to the Wilson plant to build the party in the Wilson plant. There might be some other instances that don't come to my memory at this time.

Mr. ARENS. Do you have information respecting the creation and operation by the Communist Party or the Communist operation in the greater Chicago area of a publication known as the Chicago Star?

Mr. HACKNEY. Oh, yes.

Mr. ARENS. Can you tell us about that, just the highlights of it, please?

Mr. HACKNEY. We had several meetings of it—the section or section committees and we discussed that some people would shy away from subscribing to the Daily Worker because it was a known Communist paper, whereby if we had a local paper that could be classified as a labor paper, put out for the people of Chicago, that the people would be more apt to subscribe for it and read it, where we could still get our message over to the people without putting it in the Daily Worker.

Mr. ARENS. Was it absolutely controlled by the Communist conspiracy?

Mr. HACKNEY. Yes.

Mr. ARENS. I should like to ask you respecting the information you have in regard to each of several persons and I want you to be exceptionally cautious, and not give us any indication of any suggestion even though you thought they may or may not have been members of the Communist Party unless you are absolutely certain, based upon your membership in that conspiracy and based upon absolute information that came to you from closed party meetings.

Did you in the course of your membership in the Communist Party know as a Communist, Leon Beverly?

Mr. HACKNEY. Yes.

Mr. ARENS. Give us a word about Leon Beverly, please.

Mr. HACKNEY. Leon Beverly was in the Armour plant. He was on the executive board until the president of that local, who was Sam Curry, was pushed upstairs, given a job on the international payroll as assistant to the director or the wage rate department, and Beverly who later became the president of that local union, the Armour Local 347.

Mr. ARENS. In the course of your membership in the Communist Party, can you tell us to a certainty while you are under oath, whether or not you knew Hazel Gray as a member of the Communist Party, if so in what capacity Hazel Gray served?

Mr. HACKNEY. I met Hazel Gray, who was with the Farm Equipment Union. I first met her in the South Side Section of the Communist Party at which time I learned that she was in the Farm Equipment Union, an active leader in that union.

Mr. ARENS. Did you while you were a member of the Communist Party know as a Communist Charles Hayes?

Mr. HACKNEY. Yes, I knew Charles Hayes. When I first met Charley Hayes he was in the Wilson plant and he was on the slate

of Sam Parks that were successful in defeating the president at that time who was a man at that time by the name of Dock Williams. And Charley Hayes was later the chairman of the grievance committee in the Wilson local, which was Local 25 at that time.

And I was at several meetings where Charley Hayes was present and at one meeting it was stated that Charley Hayes had been sent away to school, a school where I don't know, and that also was one of the requirements. When you are a party member you are sent to leadership schools to be educated.

Mr. ARENS. When you say educated, do you mean trained in Communist Party techniques?

Mr. HACKNEY. That is what I mean.

Mr. ARENS. Could you give us a further word with respect to Jesse Prosten. I believe you said a few moments ago that during your experience in the Communist Party he was the top director of Communist Party activities in the meatpacking industry.

Mr. HACKNEY. Jesse Prosten was the No. 1 Communist in the packing industry. He was the one that got his directions from some place I don't know of and brought them back to the packinghouse workers and he proposed programs, he suggested campaigns to strengthen the party, he led discussions in how to build the party and he sat in on all the top meetings of the top party people in the packinghouse section.

Mr. ARENS. Did you know as a Communist, William Rix?

Mr. HACKNEY. Yes, I know William Rix. He is from New York District 6. I attended caucus meetings with Rix in meetings that we had prior to convention or during conventions. In Montreal I recall we had a caucus meeting at which Bill Rix was in attendance where only party people were present.

Mr. ARENS. Did you know as a Communist, Donald H. Smith?

Mr. HACKNEY. Yes, I knew Donald Smith. He is also from New York and I met him through the same way I met Bill Rix.

Mr. ARENS. Could you tell us a word about his activities in the Communist conspiracy?

Mr. HACKNEY. Well, Bill Rix was considered one of the party people in the New York area.

The only occasion I had to be in the presence of Bill Rix in party meetings was when we had these various caucus meetings except the one we had in Chicago in 1947 prior to the 1947 convention at which time party people throughout the country were present and the subject of discussion at that time was to get rid of Phil Weightman, that Phil Weightman was leaning too far to the right, you can't work with him, can't do anything with him and therefore he must go.

Mr. ARENS. To what extent are the comrades trained in these training schools to use noncomrades for the accomplishment of Communist Party objectives?

Mr. HACKNEY. That is one of the purposes of the school is to teach the comrades how to work with nonparty people. One of the things that comes up quite frequently in party meetings is to keep the party member aware that he must know how, know the techniques of working with nonparty people.

Mr. ARENS. Do the party people in these days make it known that they are members of the conspiracy or do they pose as great humanitarians?

Mr. HACKNEY. They don't say they are members of the Communist Party. They naturally portray themselves as trade union leaders, apt trade union leaders.

Mr. ARENS. Would you tell us whether or not you knew as a comrade, as a member of the Communist Party, Jack Souther?

Mr. HACKNEY. Yes, I knew Jack Souther. He also came out of the Wilson local, Local 25.

Mr. ARENS. Tell us a little of his activities, if you please.

Mr. HACKNEY. Well, Jack was on the executive board of Local 25. He wasn't too active until after the 1948 strike, at which time I had left the industry.

Mr. ARENS. Did you know as a comrade, as a member of the Communist Party, Meyer Stern?

Mr. HACKNEY. Yes; Meyer Stern was district director of District 6 in New York City.

Mr. ARENS. District 6 of the meatpacking?

Mr. HACKNEY. Of the United Packinghouse Workers. Not meatpacking industry because that perhaps embodied some other organization. I want to make it clear we are referring to the United Packinghouse Workers.

Mr. ARENS. Kindly tell us did you know as a comrade, as a member of the Communist Party, Olga Zenchuk?

Mr. HACKNEY. Yes; I met Olga Zenchuk in Detroit. I was assigned to work in District 7 and I was told when I get in District 7 to look up Olga Zenchuk and she could help me getting to the right people in Detroit.

Mr. ARENS. Did she do so?

Mr. HACKNEY. Yes.

Mr. ARENS. Did she identify herself in Communist Party techniques to you as a member of the conspiracy?

Mr. HACKNEY. Yes.

Mr. ARENS. Did you know as a member of the Communist Party Leslie Orear.

Mr. HACKNEY. Yes, Leslie Orear was on the section committee of the Packinghouse Section. His job was to advance educational program, come up with the proper literature that he felt that we needed to educate the party members within the Packinghouse Section.

Mr. ARENS. Did you know as a member of the Communist Party, Rachel Ellis?

Mr. HACKNEY. I don't know her by that name at the time. Her name was Carter. She was from Local 453.

Mr. ARENS. Apparently Ellis is her married name; is that correct?

Mr. HACKNEY. I have since learned she married a man by the name of Ellis.

Mr. ARENS. Then her maiden name was Rachel Carter and her married name was Rachel Ellis; is that correct?

Mr. HACKNEY. As I understand it. I knew her as Carter, when I knew her.

Mr. ARENS. Give us a word about her, please.

Mr. HACKNEY. I met her in one of the citywide meetings at Van Buren and Ashland. At that time she was secretary of UAW, Local 453. I since learned that she is now employed at District 1, secretary to Charles Hayes, the district director of that district.

Mr. ARENS. Can you tell us by what devices the Communist operators within the packinghouse industry were able to control and influence the rank-and-file. It is obvious to us. It ought to be obvious to any thinking person that the Communists within any organization are numerically in the minority. How did the Communists within the packinghouse operation control the majority and conceal from the majority the fact that they were hard-core members of a conspiracy?

Mr. HACKNEY. A party person is always trained to be aggressive union leader, to always be in the forefront fighting for the rights of the working people. Naturally when the worker sees a certain man is out there fighting for decent wages, working conditions for the packinghouse worker, well, he naturally is influenced by that particular man. Whenever there is an opportunity to run a slate of officers, they get out and work real hard, they get the people elected, not only members of the Communist Party but people that are influenced by the party on their slate of officers and usually are elected to office.

Mr. ARENS. Mr. Chairman, I respectfully submit if it is agreeable with the Chair that we have about a 5-minute recess.

Mr. WILLIS. That will be agreeable. We will stand in recess for 5 minutes.

(Members of the committee present at the time of recess: Representatives Willis and Johansen.)

(A brief recess.)

(Members of the committee present after recess: Representatives Moulder, Willis, and Johansen.)

Mr. MOULDER. The committee will be in order.

Proceed, Mr. Arens.

Mr. ARENS. Mr. Hackney, as I commented earlier it has not been our intention on this record to exhaust the subject matter with you. You have testified in executive session, have you not?

Mr. HACKNEY. Yes, I have.

Mr. ARENS. And you have also been in repeated consultation with representatives of this committee, the staff, at which time you have supplied considerable information on numerous items of the operation of the Communist Party here, have you not?

Mr. HACKNEY. I have.

Mr. ARENS. Just so that we may not trespass unduly upon other areas, may I ask if there are any items of information germane to the subject matter here, which you would like on this record to reveal to the committee?

Mr. HACKNEY. Yes, I would like to reveal that I was a witness in the deportation hearings of José Ramirez, who my understanding is a field representative of the United Packinghouse Workers. This hearing took place in the headquarters of the Immigration Service at which hearing I was a witness and I testified for the Government in that case.

Mr. ARENS. Are there any other key persons, and I am not asking you on this record for the rank-and-file, are there any other key persons in the Communist operation in the meatpacking industry in the Chicago area concerning whom you should like to comment?

Mr. HACKNEY. Yes, I would like to comment on Charles Proctor, who I understand now that he is a field representative for the United

Packinghouse Workers and I know him well because I signed him up in the party myself.

Mr. ARENS. Does he spell his name Charles P-r-o-c-t-o-r?

Mr. HACKNEY. That is right.

Mr. ARENS. Give us just a word then, please, about his activities in the Communist Party in the meatpacking industry?

Mr. HACKNEY. Well, Charles Proctor came from the local at which time I was president. He later became chairman of the grievance committee of Local 26 which I was the president. After much discussion and letting him read the Daily Worker I told him what the intention of the party was and he was sold to idea and signed application card with me. I since learned he is now a full-time paid organizer for the United Packinghouse Workers.

Mr. ARENS. Are there any other key persons who to your certain knowledge were members of the Communist Party assigned to and working in the packinghouse industry?

Mr. HACKNEY. I have in mind a John Lewis who, I understand, is now the president of the Swift local.

Mr. ARENS. I believe you commented with respect to John Lewis?

Mr. HACKNEY. Did I?

Mr. ARENS. So that the record may be absolutely clear you, of course, are at liberty to comment again.

Mr. HACKNEY. I was president of Local 26. At that time John Lewis was vice president and when I left the industry to take a full-time job, John Lewis became president and when the operation of his department closed down he was transferred to the Swift plant and at that time the party was much concerned because now they had a potential leadership in the Swift plant and John Lewis was the party member in the Swift local.

Mr. ARENS. Is there another key person?

Mr. HACKNEY. Yes; there is Milton Gilmore, who at the time I was there was president of Local 23, the Teddy Brennan local. There was James Keller who was secretary.

Mr. ARENS. Do you here and now testify that you knew each of these men to a certainty to be members of the Communist Party?

Mr. HACKNEY. Definitely.

Mr. ARENS. All right, sir, proceed. So the record may be clear do not give us on this record the name of any person unless you know to a certainty from your experience in the Communist Party and your association with that person in a closed party meeting, that that person was a member of the Communist Party.

Mr. HACKNEY. There was James Keller, who was a full-time paid organizer for the Communist Party who was the section organizer for the Packinghouse Section of the party at which I was a member of the section committee.

Mr. ARENS. Is there another?

Mr. HACKNEY. Those are the important ones.

Mr. ARENS. That is what I mean. I do not want to encumber the record just with a number of names. We want only the pattern as the chairman announced in the opening statement. If we go into the names of all of the comrades who have been identified for us either in executive session or consultation, we would have quite a lengthy list.

Is there any other item of information which I may not have elicited from you?

Mr. HACKNEY. I don't think there was any mention of keeping records of dues-paying members.

Mr. ARENS. Would you comment on that, please?

Mr. HACKNEY. Joe Zabritski, who was a member of the section committee, kept records of dues-paying members. He later eventually became president of Local 25, the Wilson local.

Mr. ARENS. Was he a member of the Communist Party?

Mr. HACKNEY. Yes.

Mr. ARENS. Spell his name for us, so the record is clear.

Mr. HACKNEY. Z-a-b-r-i-t-s-k-i.

Mr. ARENS. You have commented with respect to him, I am certain.

Mr. HACKNEY. Yes.

Mr. ARENS. Is there any other item of information that you would like to make available to the committee?

Mr. JOHANSEN. Mr. Chairman, when the witness refers to dues-paying members is he speaking of the union or of the party?

Mr. HACKNEY. I am speaking of the party.

Mr. JOHANSEN. Thank you.

Mr. ARENS. Is there any other item of information you would like on this record which is germane to the scope of our inquiry?

Mr. HACKNEY. I can't think of any offhand.

Mr. ARENS. Mr. Chairman, under these circumstances I respectfully submit that will conclude the staff interrogation of this witness.

Mr. MOULDER. Mr. Willis, do you have any questions?

Mr. WILLIS. No questions.

Mr. MOULDER. Mr. Johansen, do you have any questions?

Mr. JOHANSEN. I would like to ask you to comment a little further on one point you made. You said early in your testimony that you found that the Communists were misleading the Negro people. I would like to have you just comment, if you care to, briefly, on your feelings as to the disservice done to the colored people through the efforts of the Communist leadership to exploit them for both publicity and financial purposes, and particularly if you have any knowledge of the extent, if any, to which funds collected ostensibly for the aid of the rights and the causes of the Negro citizens were diverted to party uses.

Mr. HACKNEY. Well, for example, if some incident like a lynching took place in the South it would eventually have a mass rally some place, oh, maybe around the Wilson plant or maybe around the Armour plant or maybe in Washington Park. A mass rally for the purpose of raising funds to bring the people responsible for such tragedy to justice and they would have these big rallies and they would ask local unions to make contributions. They would ask individuals to make contributions and they would take up collections at these various rallies for the purpose they said for defending and bringing to justice these people that were responsible for these crimes.

Mr. MOULDER. May I interrupt? In that connection, I believe our hearings have revealed and the record will show that in a number of instances, under Communist Party leadership, they have agitated discrimination and cases of that sort in order to bring up the proposition that there was discrimination. I believe our hearings have revealed

instances of that kind, where shootings and other mistreatment of members of the Negro race were actually brought about through Communist Party conspiracy and plans to arouse prejudice and the cry of discrimination.

Mr. HACKNEY. In many cases of that sort. I don't have any particular one in mind.

Mr. MOULDER. Mr. Hackney, we are certainly deeply grateful for your testimony. And the information you have given us will be of great value in our legislative program of protecting our national defense and the internal security. We sincerely commend you for your courage. You are an honest and patriotic citizen of the greatest country in the world. You and your people have made great contributions to our progress and success as a great Nation. Your testimony corroborates my statement yesterday that even though the Negro race has suffered in many ways and although the Communists have concentrated their attentions to take advantage of that fact to recruit and to gain the support of the Negro people, they have had little success. In fact, less success than they have had with all other races of people.

Therefore, under these trying circumstances you and your people deserve proper credit and public commendation and respect and understanding; and to you personally, I want to say that you are an able and outstanding man, who shows great leadership ability. And I repeat, you are an honest man and although a few may criticize you, they will be a very few. But I predict that no one will appear before this committee or at any other place to dispute one word or any part of your testimony given to this committee today. And with our sincere thanks and best wishes you are excused as a witness.

Thank you.

Call the next witness.

Mr. ARENS. Mr. Charles Hayes, please come forward.

Mr. MOULDER. Will you hold up your right hand and be sworn, please?

Do you solemnly swear that the testimony you are about to give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HAYES. I do.

TESTIMONY OF CHARLES A. HAYES, ACCOMPANIED BY COUNSEL, BELFORD V. LAWSON, JR.

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. HAYES. Name, Charles A. Hayes. Address, 5471 Ingleside Avenue, Chicago, Ill. Occupation, director of District 1 of the United Packinghouse Workers of America, AFL-CIO.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by this committee?

Mr. HAYES. I am.

Mr. ARENS. And you are represented by counsel?

Mr. HAYES. I am.

Mr. ARENS. Counsel, please identify yourself on the record.

Mr. LAWSON. Belford Lawson, Washington, D.C.

Mr. HAYES. Would you care to have the subpoenas?

Mr. ARENS. No, you don't need to return the subpoena. You may keep that.

Mr. HAYES. All right.

Mr. ARENS. Mr. Hayes, do you know the man who preceded you to the witness stand, John Hackney?

Mr. HAYES. I do know John Hackney.

Mr. ARENS. How long have you known him?

Mr. HAYES. Well, I would say since about 1945 or thereabouts.

Mr. ARENS. Was he correct in his testimony a few moments ago when he said that he knew you as a member of the Communist Party?

Mr. HAYES. I refuse to answer that question on the grounds that it might incriminate me.

Mr. ARENS. Would you repeat the position you occupy and how long you held it?

Mr. HAYES. I have been elected—I was originally elected as director of my union in 1954, I think in May.

Mr. ARENS. Have you maintained the position as a director continuously since then?

Mr. HAYES. I have. Not only am I a director of my union, I am also the first Negro vice president of the AFL-CIO here in the State of Illinois and a member of the Industrial Union Council Board.

Mr. ARENS. Where and when were you born?

Mr. HAYES. I was born February 17, 1918 in Cairo, Ill.

Mr. ARENS. Give us a word about your education.

Mr. HAYES. I am a high school graduate as of 1935 from the Sumner High School in Cairo.

Mr. ARENS. Did you receive any further education?

Mr. HAYES. I did not.

Mr. ARENS. Have you gone to any training schools?

Mr. HAYES. What training schools?

Mr. ARENS. Any kind of training schools.

Mr. HAYES. I refuse to answer that question on the ground it might incriminate me.

Mr. ARENS. Give us, if you please, the first principal occupation you have had since you concluded your formal education.

Mr. HAYES. It is quite a long time back.

Mr. ARENS. Just the principal occupations.

Mr. HAYES. Any occupation I had was principal. After finishing high school I worked for a while with Bruce & Co. in Cairo, Ill., and then the next job I had was an employee with Wilson & Co. here in Chicago.

Mr. ARENS. How long did that employment last?

Mr. HAYES. I worked initially, started in 1942 and I worked at Wilson & Co. until—well, I was severed from the employment of Wilson & Co. as a result of the plant closing down in 1955. However, I wasn't all that time working for Wilson & Co. I was on leave of absence from the company part of the time.

Mr. ARENS. Have you ever signed an affidavit under the National Labor Relations Act?

Mr. HAYES. I have.

Mr. ARENS. And what year was that, do you recall?

Mr. HAYES. In 1954.

Mr. ARENS. Are you now or have you ever been a member of the Communist Party?

Mr. HAYES. I refuse to answer that question on the grounds that it might incriminate me.

Mr. ARENS. Are you now a member of the Communist Party?

Mr. HAYES. I am not.

Mr. ARENS. Have you been a member of the Communist Party at any time in the last 5 years?

Mr. HAYES. I have not.

Mr. ARENS. Have you been a member of the Communist Party at any time since the passage of the Taft-Hartley Act in 1948 requiring a non-Communist affidavit?

(The witness conferred with his counsel.)

Mr. HAYES. Could you kindly tell me the date when the Taft-Hartley law was passed?

Mr. ARENS. In 1948.

Mr. HAYES. I decline to answer that question on the grounds that it might incriminate me.

Mr. ARENS. Is your declination to answer based upon a state of facts created by yourself in response to the passage of the Taft-Hartley Act in 1948?

Mr. HAYES. Will you restate your question, and don't do it so fast, please.

Mr. ARENS. We have just agreed that the Taft-Hartley Act was passed in 1948 and you have declined to answer as to whether or not you have been a member of the Communist Party at any time since the passage of the Taft-Hartley Act and its requirement of an affidavit of non-Communist union officers. I am now asking you is your declination to answer based upon a state of facts created by yourself in order to avoid the impact of the Taft-Hartley affidavit?

Mr. HAYES. Certainly not.

Mr. ARENS. Were you a member of the Communist Party at any time since the passage of the Taft-Hartley Act?

Mr. HAYES. I decline to answer that question on the ground that it might incriminate me.

Mr. ARENS. Did you at any time, since the passage of the Taft-Hartley Act, resign technical membership in the formal entity known as the Communist Party?

Mr. HAYES. I refuse to answer that question on the grounds that it might incriminate me.

Mr. ARENS. Did you at any time take any action at the direction of the Communist Party in order that you could truthfully sign a non-Communist affidavit stating in effect that you were not then a member of the Communist Party?

Mr. HAYES. I decline to answer that question.

Mr. ARENS. Mr. Chairman, that will conclude the staff interrogation of this witness.

Mr. MOULDER. Any questions, Mr. Willis?

Mr. HAYES. I would like, Mr. Chairman, for the benefit, if I may, for the benefit of the congressional leaders who are members of this committee, and for the staff members who represent that department of that committee, to make a statement on behalf of my union.

Mr. MOULDER. On what?

Mr. HAYES. On behalf of my organization.

Mr. ARENS. We are not exploring the union. We are exploring Communists. We would like to ask you have you been a member of the Communist Party at any time since 1954?

Mr. HAYES. I certainly have not, Mr. Arens.

Mr. MOULDER. Any questions?

Mr. JOHANSEN. Did I understand the witness to say that he was the first member of his race to be vice president of the Illinois AFL-CIO?

Mr. HAYES. Illinois State Federation of Labor and the Industrial Union Council of the State of Illinois.

Mr. JOHANSEN. You are that at this time?

Mr. HAYES. I am that.

Mr. JOHANSEN. I thought I detected considerable pride in that.

Mr. HAYES. Yes.

Mr. JOHANSEN. Mr. Chairman, to me it is a deep tragedy that that pride has to be diluted by the invoking of the fifth amendment in this hearing.

Mr. MOULDER. I believe I understood you to say you were born in Cairo, Ill.

Mr. HAYES. Cairo, Ill.

Mr. MOULDER. And you are a married man?

Mr. HAYES. I am.

Mr. MOULDER. Family?

Mr. HAYES. Wife and two kids.

Mr. MOULDER. Did you serve in the Armed Forces?

Mr. HAYES. I did not.

Mr. MOULDER. You did not serve in the Armed Forces?

Mr. HAYES. No.

Mr. MOULDER. In connection with what Mr. Johansen said, I want it thoroughly understood, speaking for myself and I believe the other members of the committee, that your efforts at work in connection with the improvement of the working conditions, wages, and welfare of organized labor and its members are certainly not to be branded as Communist Party activities.

Mr. HAYES. Most certainly not, Congressman.

Mr. MOULDER. Also I want to congratulate you in your statement that you certainly are not, as I understand it, in any way associated with the Communist Party or Communist Party activities.

Mr. HAYES. That is right.

Mr. MOULDER. And you are, if I understand it, clearly in accord with the AFL and CIO program in ridding their membership of the Communist Party.

Mr. HAYES. I would like to have this committee know very well that my organization has lived up to, and is living up to, the codes of ethical practices of AFL-CIO.

Mr. ARENS. May I inquire a moment, then, please? Are you now against the Communist Party?

Mr. HAYES. I most certainly am.

Mr. ARENS. Then why not give this committee, while you are under oath now in this public session, the knowledge that we know you have respecting the Communist Party, respecting Communists, respecting the Communist operation in the meat industry?

Mr. HAYES. The reason I don't answer that question, Counsel, is because I am afraid that if I do it might incriminate me.

Mr. ARENS. Do you honestly apprehend, if you told this committee truthfully while you are under oath information of which you are presently possessed respecting the Communist operation in the meat industry among the packinghouse workers and the like, you would be supplying information which might be used against you in a criminal proceeding?

Mr. HAYES. I refuse to answer that question, too.

Mr. ARENS. I respectfully suggest that will conclude the staff interrogation of this witness.

(Witness excused.)

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Rachel Carter Ellis.

Rachel Carter Ellis, please come forward.

(Representative Moulder left the room.)

Mr. WILLIS (presiding). Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. ELLIS. I do.

TESTIMONY OF RACHEL CARTER ELLIS, ACCOMPANIED BY COUNSEL, BELFORD V. LAWSON, JR.

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mrs. ELLIS. My name is Rachel Ellis. I live at 7140 South—

Mr. ARENS. Would it be convenient for you to keep your voice up a little bit or get closer to the mike? The acoustics are very poor in here.

Mrs. ELLIS. My name is Rachel Ellis. I live at 7140 South Michigan Avenue, Chicago. My occupation is secretary.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mrs. ELLIS. Yes.

Mr. ARENS. And you are represented by counsel?

Mrs. ELLIS. I am.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. LAWSON. Belford Lawson, Washington, D.C.

Mr. ARENS. Give us, if you please, ma'am, a word about your occupation.

Mrs. ELLIS. I am employed as a secretary to the District Director of the United Packinghouse Workers, District 1.

Mr. ARENS. And who is your immediate superior?

Mrs. ELLIS. That is Mr. Charles Hayes.

Mr. ARENS. That is the man who just left the stand?

Mrs. ELLIS. That is he.

Mr. ARENS. How long have you been so employed?

Mrs. ELLIS. I have been employed since March of 1956 in that capacity.

Mr. ARENS. What was your employment immediately prior to your present employment?

Mrs. ELLIS. I was employed as a secretary at the office of Local 453, United Automobile Workers.

Mr. ARENS. Where?

Mrs. ELLIS. In Chicago.

Mr. ARENS. For how long?

Mrs. ELLIS. Possibly a year.

Mr. ARENS. What was your employment immediately prior to that?

Mrs. ELLIS. I was employed as manager of a printing establishment.

Mr. ARENS. Give us a word, please, about your education.

Mrs. ELLIS. I attended junior college in the city and the Art Institute in this city.

Mr. ARENS. Raise your voice, please, ma'am. We couldn't hear you.

Mrs. ELLIS. I attended the junior college and Art Institute in this city.

Mr. ARENS. Have you received any other training? Have you attended any other training schools?

Mrs. ELLIS. I have attended—would you repeat that question?

Mr. ARENS. Yes, ma'am. Have you received any other training, other than the formal education which you have just described?

Mrs. ELLIS. I decline to answer that question on the grounds that it may tend to incriminate me.

Mr. ARENS. Do you know a man by the name of John Edward Cooke?

Mrs. ELLIS. I do not know a man by that name.

Mr. ARENS. Do you know a man by the name of John Hackney.

Mrs. ELLIS. I know John Hackney.

Mr. ARENS. In what capacity have you known John Hackney?

Mrs. ELLIS. I have known him only as a trade union member.

Mr. ARENS. Have you known him in any other capacity?

Mrs. ELLIS. No, I have not known him in any other capacity.

Mr. ARENS. Mr. Hackney testified this morning that while he was a member of the Communist Party he knew you as a member of the Communist Party. Was he in error on that testimony or was he correct?

Mrs. ELLIS. I decline to answer that question on the basis that it may incriminate me.

Mr. ARENS. Have you ever been connected with the Chicago Committee of Negro Youth?

Mrs. ELLIS. I don't recall that.

Mr. ARENS. Are you now or have you ever been a member of the Communist Party?

Mrs. ELLIS. I decline to answer that question on the grounds that it may incriminate me.

Mr. ARENS. Are you now a member of the Communist Party?

Mrs. ELLIS. I am not now a member of the Communist Party.

Mr. ARENS. Have you ever resigned technical membership in the Communist Party so that you could take an oath and deny membership in the Communist Party yet maintained yourself in the Communist operation?

Mrs. ELLIS. I decline to answer that question on the basis that it may incriminate me.

Mr. MOULDER. Were you a member of the Communist Party at any time since the passage of the Taft-Hartley Act?

Mrs. ELLIS. I decline to answer that question on the grounds it may tend to incriminate me.

Mr. ARENS. Have you ever signed a non-Communist affidavit?

Mrs. ELLIS. I have never signed a non-Communist affidavit.

Mr. ARENS. Have you any time in the last two years been a member of the Communist Party?

Mrs. ELLIS. Would you repeat the question?

Mr. ARENS. Have you any time in the course of the last two years been a member of the Communist Party?

Mrs. ELLIS. I decline to answer that.

Mr. ARENS. Have you at any time in the course of the last year and a half been a member of the Communist Party?

(The witness conferred with her counsel.)

Mrs. ELLIS. I have not.

Mr. ARENS. Have you any time in the course of the last fourteen months been a member of the Communist Party?

Mrs. ELLIS. I have not.

Mr. ARENS. Have you any time in the course of the last sixteen months been a member of the Communist Party?

Mrs. ELLIS. I have not.

Mr. ARENS. Have you any time in the course of the last seventeen months been a member of the Communist Party?

Mrs. ELLIS. I have not.

Mr. ARENS. Are you now against the Communist Party?

Mrs. ELLIS. I decline to answer that question on the grounds that it may tend to incriminate me.

(Representative Moulder reentered the room.)

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

(Witness excused.)

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Leo Turner.

Mr. MOULDER. Do you solemnly swear that the testimony which you are about to give before the committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. TURNER. I do.

TESTIMONY OF LEO TURNER, ACCOMPANIED BY COUNSEL, BELFORD V. LAWSON, JR.

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. TURNER. Leo Turner, 5342 South Kimbark, Chicago; field representative of the United Packinghouse Workers of America.

Mr. ARENS. You are appearing today, Mr. Turner, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. TURNER. That is correct.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. LAWSON. Belford Lawson, Washington.

Mr. ARENS. Mr. Turner, where are you employed?

Mr. TURNER. I am employed in District 1 of the United Packinghouse Workers.

Mr. ARENS. In what capacity?

Mr. TURNER. As a field representative.

Mr. ARENS. How long have you been so employed?

Mr. TURNER. I was hired by Mr. A. T. Stephens on November 8, 1949.

Mr. ARENS. Where and when were you born?

Mr. TURNER. June 24, 1913, Aberdeen, Wash.

Mr. ARENS. Give us a word, please, about your formal education.

Mr. TURNER. I left high school in Aurora, Minn., at the end of 3 years of high school.

Mr. ARENS. Did that complete your formal education?

Mr. TURNER. That is correct.

Mr. ARENS. And then give us the principal occupations you have had since you completed your formal education.

Mr. TURNER. Well, I got out of high school into the Hoover depression, and I would say that most of the time prior to going to work for the unions I was working on WPA.

Mr. ARENS. Did you have any other principal activity in addition to your WPA work until you went to work for the unions?

Mr. TURNER. No, sir.

Mr. ARENS. When did you complete your formal education in high school?

Mr. TURNER. 1931.

Mr. ARENS. Did you shortly thereafter become educational director of the Young Communist League?

Mr. TURNER. I decline to answer that question on the ground that it might tend to incriminate me.

Mr. ARENS. I lay before you now a photostatic reproduction of the Communist Daily Worker of July 28, 1936, in which an article appears entitled "Youth to Aid C.P. Ticket in Elections." It tells about a number of people who are in official capacity with the Young Communist League, including Leo Turner, educational director of the league. I now display this document to you and ask you to look at it and tell us whether or not that refreshes your recollection, and whether or not you are the Leo Turner referred to in the Communist publication, the Daily Worker, as educational director of the Young Communist League.

(Document handed to witness.)

(The witness conferred with his counsel.)

Mr. TURNER. I decline to answer on the ground it might tend to incriminate me.

(Document marked "Turner Exhibit No. 1" and retained in committee files.)

Mr. ARENS. I display to you a photostatic reproduction of the Communist Daily Worker of New York, May 25, 1936, in which an article appears, "Youth March May 30 in Fight Against War," signed by Leo Turner. Would you kindly look at this article and tell us while you are under oath whether or not you are the Leo Turner who authored that article appearing in the Daily Worker?

(Document handed to witness.)

(The witness conferred with his counsel.)

Mr. TURNER. I decline to answer on the grounds that it might tend to incriminate me.

(Document marked "Turner Exhibit No. 2," and retained in committee files.)

Mr. ARENS. I display to you a photostatic copy of an article appearing in the Sunday Worker, January 25, 1942, in which a number of persons are petitioning for the release of the then secretary of the Communist Party, Earl Browder, including a man listed as Leo Turner of Oakland, Calif. Kindly look at this document as I display it to you and tell this committee while you are under oath whether or not you are the Leo Turner that participated in that enterprise.

(Document handed to witness.)

(The witness conferred with his counsel.)

Mr. TURNER. I decline to answer on the grounds that it might tend to incriminate me.

(Document marked "Turner Exhibit No. 3," and retained in committee files.)

Mr. ARENS. Did you participate in the picketing on behalf of the 11 Communists who were convicted before Judge Medina in New York City?

(The witness conferred with his counsel.)

Mr. TURNER. I did not.

Mr. ARENS. Did you lend your name and your position on behalf of the intervention for the 11 Communist leaders?

(The witness conferred with his counsel.)

Mr. TURNER. I decline to answer that question on the ground it might tend to incriminate me.

Mr. ARENS. I lay before you now a photostatic reproduction of the Communist Daily Worker of October 18, 1949 respecting the intervention by a number of people on behalf of the 11 Communists who were convicted in New York City, including, according to this listing in the Daily Worker, one Leo Turner. Kindly look at this article and tell this committee whether or not it refreshes your recollection, and whether or not you are the Leo Turner who was listed there and, if so, if you consciously made your name available for that enterprise.

(Document handed to witness.)

(The witness conferred with his counsel.)

Mr. TURNER. I decline to answer on the grounds that it might tend to incriminate me.

(Document marked "Turner Exhibit No. 4," and retained in committee files.)

Mr. ARENS. Mr. Turner, what is the principal law on the statute books of the U.S. Government against Communists? Do you know?

Mr. TURNER. I believe it is the Smith Act.

Mr. ARENS. What have you done, can you tell us, to cause the repeal of the Smith Act?

Mr. TURNER. I don't know.

Mr. ARENS. I lay before you now, if you please, a photostatic reproduction of the Communist Daily People's World, January 2, 1952, in which a number of persons are listed as participants in an assembly of delegates for the repeal of the Smith Act, including Leo Turner,

identified in this publication as field representative of the CIO United Packinghouse Workers. Kindly look at this document and tell this committee while you are under oath whether or not that refreshes your recollection and whether or not you consciously participated in that enterprise.

(Document handed to witness.)

(The witness conferred with his counsel.)

Mr. TURNER. I decline to answer on the grounds that it might tend to incriminate me.

(Document marked "Turner Exhibit No. 5," and retained in committee files.)

Mr. ARENS. Do you know a man by the name of Lee Lundgren?

Mr. TURNER. Yes, I do.

Mr. ARENS. In what capacity have you known him?

Mr. TURNER. I knew him when I worked with the United Electrical, Radio and Machine Workers.

Mr. ARENS. Have you known him in any other capacity?

Mr. TURNER. I believe later he became a representative of the International Union of Electrical, Radio and Machine Workers.

Mr. ARENS. And have you known him in any other capacity?

Mr. TURNER. I don't believe so.

Mr. ARENS. Do you know a man by the name of Hackney?

Mr. TURNER. Very slightly.

Mr. ARENS. Do you know a man by the name of Carl Nelson?

Mr. TURNER. I know him so casually that the testimony he gave here yesterday was false with respect to some of my activities.

Mr. ARENS. Was his testimony correct when he said he knew you as a member of the Communist Party?

Mr. TURNER. I decline to answer that question on the grounds that it might tend to incriminate me.

Mr. ARENS. Are you now, or have you ever been, a member of the Communist Party?

Mr. TURNER. I am not a member of the Communist Party.

Mr. ARENS. Have you ever been a member of the Communist Party?

Mr. TURNER. I decline to answer that question on the grounds that it might tend to incriminate me.

Mr. ARENS. Have you ever been a member of the Communist Party at any time since the passage of the Taft-Hartley Act requiring that certain union officials must sign a non-Communist affidavit?

Mr. TURNER. I decline to answer that question on the grounds that it might tend to incriminate me.

Mr. ARENS. Did you resign technical membership in the Communist Party but maintain yourself in the Communist operation so that you could take an oath and truthfully deny membership in the formal entity known as the Communist Party?

Mr. TURNER. I decline to answer that question on the grounds that it might tend to incriminate me.

Mr. ARENS. Are you now against the Communist Party?

Mr. TURNER. I decline to answer that question on the grounds that it might tend to incriminate me.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. TURNER. Mr. Chairman, I would like to make a statement. A statement made here yesterday that I was in Spain by one of the

witnesses that was produced here. I want to categorically state under oath that that statement was false.

Mr. ARENS. Is that the only part of the testimony with respect to yourself that was false?

Mr. TURNER. I decline to answer that on the grounds that it might tend to incriminate me.

Mr. ARENS. Was the rest of the testimony true when you were identified as a member of the conspiratorial apparatus known as the Communist Party?

Mr. TURNER. I decline to answer that on the grounds it might tend to incriminate me.

Mr. ARENS. Do you presently have information which you can supply the United States Government via this committee respecting the techniques and operations of this conspiratorial organization designed to overthrow the Government of the United States known as the Communist Party?

Mr. TURNER. I decline to answer that question on the grounds that it might tend to incriminate me.

Mr. ARENS. I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. MOULDER. I want to announce for the record that it will be necessary for me to return to Washington and I will be unable to be present for the rest of the hearings. Mr. Willis is designated chairman to preside at the conduct of the hearings.

The committee will recess until 2 p.m.

(Whereupon, at 11:50 a.m., the hearing was recessed until 2 p.m. of the same day.)

AFTERNOON SESSION, WEDNESDAY, MAY 6, 1959

Mr. WILLIS. The subcommittee will please come to order.

(Subcommittee members present: Representatives Willis, presiding, and Johansen.)

Mr. WILLIS. Counsel, please call your next witness.

Mr. ARENS. Mr. Chairman, may the record show, if you please, sir, the presence of yourself as chairman of the subcommittee and the presence of the gentleman from Michigan, Mr. Johansen, constituting a quorum of the subcommittee?

Mr. WILLIS. That is correct.

Mr. ARENS. Mr. Dency, Albert P. Dency, please come forward.

Mr. WILLIS. Please raise your right hand. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DENCY. I do.

TESTIMONY OF ALBERT P. DENCY

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. DENCY. My name is Albert Dency. I live at 2453 North Tripp Avenue, Chicago, Ill.

Mr. ARENS. And your occupation?

Mr. DENCY. My occupation is tool and die maker.

Mr. ARENS. Where are you employed?

Mr. DENCY. Mr. Arens, I will be very pleased to answer this question. However, I would like to be assured that if I do answer and give you the name of the company, that I will not be fired from the place where I am employed at present.

Mr. ARENS. You are appearing today in response to a subpoena that was served upon you by this committee?

Mr. DENCY. Yes, sir.

Mr. ARENS. You are not represented by counsel apparently.

Mr. DENCY. No, I am not.

Mr. ARENS. You know you have the privilege of counsel.

Mr. DENCY. I know I have, but I don't have \$500 to pay for the counsel.

Mr. ARENS. Now, Mr. Dency, where and when were you born?

Mr. DENCY. I was born February 15, 1921, in Yugoslavia.

Mr. ARENS. When did you come to the United States?

Mr. DENCY. I came to the United States on December 7, 1937.

Mr. ARENS. Are you a naturalized citizen?

Mr. DENCY. Yes, sir.

Mr. ARENS. Where and when were you naturalized?

Mr. DENCY. I was naturalized in Waukegan, Ill., approximately early part of 1943.

Mr. ARENS. Have you ever used any name other than the name Albert P. Dency, D-e-n-c-y?

Mr. DENCY. Yes, sir, I did; my name originally spelled, Z-d-e-n-c-a-j.

Mr. ARENS. Give us a word, please, about your education.

Mr. DENCY. I have very little formal education. I attended Catholic seminary school for 2 years in Europe. And here I have attended night school for a while at University of Chicago and also Lake Forest.

Mr. ARENS. Is that the only education you have had?

Mr. DENCY. It is the only education in the formal sense.

Mr. ARENS. Have you received any training in any training schools of any kind?

Mr. DENCY. I have attended Abraham Lincoln School.

Mr. ARENS. Where was that?

Mr. DENCY. Extension courses I attended at Waukegan, Ill.

Mr. ARENS. When did you live in Waukegan, Ill., over what period of time?

Mr. DENCY. I did not live in Waukegan except for a very short period of time. I lived in North Chicago, which is a part or at least close by Waukegan.

Mr. ARENS. Does the figure E-88239 register with your mind on any score, E-88239?

Mr. DENCY. Yes.

Mr. ARENS. What was that?

Mr. DENCY. That is my—I think that is my number, union card number.

Mr. ARENS. Have you ever been a member of the Communist Party?

Mr. DENCY. No, I have never been a member of the Communist Party.

Mr. ARENS. Have you ever been knowingly under discipline of the Communist Party?

Mr. DENCY. I have not been knowingly under discipline of the Communist Party.

Mr. ARENS. It is the information of this committee that you were a member of the Communist Party in Waukegan, Ill., that you were chairman of the Waukegan Communist Party Club in 1949, 1950, and 1951. If that is in error, please set the record straight while you are under oath.

Mr. DENCY. I have been the chairman of the American Veterans Committee in Waukegan, a chapter of American Veterans Committee. As far as the time that you have given I have not lived in Waukegan for the year 1951 at all.

Mr. ARENS. Do you say now categorically without equivocation, that you have never been a member of the Communist Party?

Mr. DENCY. Yes, sir, I so state.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. WILLIS. We appreciate your appearance.

Mr. DENCY. May I make a statement, if I possibly can?

Mr. WILLIS. Well, if you make it short.

Mr. DENCY. I will make it very short, Mr. Chairman.

Mr. WILLIS. Let me say this. You are not represented by counsel, and therefore I want to be as liberal with you as possible. But please do not make an extended statement.

Mr. DENCY. I will not make any derogatory statement at all. However, I want to point out to one fact, that I as a chairman of the committee to lift suspension of Local 113, which is the rank and file union in my union, feel that by being called before this committee, this committee willing or unwilling, I do not know, has served a purpose contrary to the objectives for which the membership of Local 113 or at least a very great segment is striving for, namely to lift suspension of their organization. And in view of that fact, I feel that the committee—

Mr. WILLIS. I would not enter into that field if I were you. It will not do you any good and counsel will perhaps have to reexamine you and if I were you I would not pursue that. That is my advice, my sincere advice.

Mr. DENCY. Thank you.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Francis William McBain.

Please come forward. Please remain standing while the chairman administers an oath.

Mr. WILLIS. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. McBAIN. I do.

TESTIMONY OF FRANCIS WILLIAM McBAIN, ACCOMPANIED BY COUNSEL, PEARL M. HART

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. McBAIN. My name is Francis McBain. I live at 3116 West Montrose Avenue, Chicago, I am a model maker by trade.

Mr. ARENS. Where are you employed?

Mr. MCBAIN. Well, I would rather not state where I am employed.

Mr. ARENS. We will hold that for the time being.

Mr. MCBAIN. I would also——

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. MCBAIN. That is correct.

Mr. ARENS. You are represented by counsel?

Mr. MCBAIN. That is correct.

Mr. ARENS. Counsel, kindly identify yourself.

Mrs. HART. Pearl M. Hart, 30 North La Salle Street, Chicago 2, Ill.

Mr. ARENS. Mr. McBain, where and when were you born?

Mr. MCBAIN. Could I — I would like to raise a question before— I have appeared before this committee before, seven years ago. I requested my lawyer to draw up a letter to send to the chairman of this committee, Honorable Mr. Walter, in regard to me being publicly exposed to this committee again. I would like the privilege of reading this letter into the record, if I could. I think it is very——

Mr. ARENS. The rules of the committee provide you must submit any written statement of any kind in advance.

Mr. WILLIS. You may submit it to counsel, and we will examine it and give it consideration. We can't permit you to read a letter we know nothing about. Submit it to counsel. It will serve the same purpose.

Mr. MCBAIN. Could I ask if Mr. Walter has received this letter?

Mr. ARENS. Mr. Walter is not here.

Mr. MCBAIN. I see.

Mr. ARENS. Now kindly tell us where and when you were born.

Mr. MCBAIN. I was born in Bottineau, N.D., July 31, 1905.

Mr. ARENS. Give us a word about your education.

(The witness conferred with his counsel.)

Mr. MCBAIN. You want my——

Mr. ARENS. Just a word about your education.

Mr. MCBAIN. I have 4 years of high school, 2 years of engineering.

Mr. ARENS. And when did you complete your formal education and where?

Mr. MCBAIN. One year I went to North Dakota State Engineering, that was 1923 and 1924. Then in the meantime there was a 2-year college in my hometown which was the qualified State college. And I went there 1 year in 1930, I believe, and finished a 2-year course which was like——

(The witness conferred with his counsel.)

Mr. MCBAIN. About a junior degree in engineering AA or something.

Mr. ARENS. What year was that, please?

Mr. MCBAIN. I think that was 1930, within the year of that.

Mr. ARENS. Had you received any other training or schooling other than the training or schooling which you have just recited?

Mr. MCBAIN. Yes, I have. I put 33 months in the Navy. I was an airplane mechanic on a flattop. I went through 4 months' training, 16 weeks here in Chicago at an advanced airplane school where I

studied complete, all-around airplane mechanic training, and from there I was assigned to a squadron and went into the Pacific.

Mr. ARENS. Were you discharged from the Navy then?

Mr. McBAIN. I was discharged right after the war in 1945.

Mr. ARENS. Give us the principal employments you have had since you were discharged from the Navy.

Mr. McBAIN. Well, I am trying to think back. One thing I was questioned—

(The witness conferred with his counsel.)

Mr. McBAIN. I would like to raise a question on the fact that it is quite a while ago and this—

Mr. ARENS. Just the principal employments that you recollect.

Mr. McBAIN. I was going to make the request that since this is already in the record the last time I appeared before this committee I was a little fresh in my memory then. It was 7 years ago.

Mr. WILLIS. Just do the best you can.

Mr. McBAIN. To repeat it?

Mr. ARENS. Let us go back and get the more current ones then. How long have you been employed in your present employment?

Mr. McBAIN. About, I would say, 5 months, I suppose.

Mr. ARENS. What was your employment immediately prior to your present employment?

Mr. McBAIN. This is going to be involved. I have to stop and think because since I was before this committee 7 years ago I have been blacklisted by the results, the publicity in the papers was used as a blacklist against me every time I got a job. All you have to do is refer me to what it said in the newspapers in 1952 and for me to start back and remember all the places I have worked in the lapsed years, it is impossible.

Mr. ARENS. Do you recall just the first place you worked prior to your present employment?

Mr. McBAIN. Let me think. I believe it was Models for Industry, I believe.

Mr. ARENS. How long did you work there?

Mr. McBAIN. Probably 6 or 7 months. I am not so sure.

Mr. ARENS. Are you a member of the Communist Party?

Mr. McBAIN. First I would like to raise some things.

Mr. ARENS. Would you kindly answer the question? Are you a member of the Communist Party?

Mr. McBAIN. I just want to raise the point first. I have no idea of what this committee has in mind. I have nothing to do with the packing workers. I understand your position on the packing workers.

Mr. ARENS. I would be glad to explain that to you.

Mr. McBAIN. I would like to know.

Mr. ARENS. I would very gladly explain it to you. You are going to answer the question, I take it. The basis, the reason I am going into this question is this, sir: The Committee on Un-American Activities has a double mandate from the Congress of the United States. One is to maintain a surveillance, a supervision as it were, over the administration and operation of the Internal Security Act, the Communist Control Act, and all security laws within the purview of this committee. In order for this committee to do that it must find out

who are the Communists, what are the Communists doing, where are the Communists engaged, what are the Communist techniques, what are their strategies, what are their tactics.

The second general jurisdiction of this committee is to constantly develop recommendations, proposals to amend and change the existing security laws so that we can cope with this conspiracy so far as it is legislatively possible.

We have summoned you before this committee because on the basis of confidential information we believe that you have current information respecting the techniques, the strategies, the tactics, the operation of this conspiratorial force which is sweeping the world and which threatens security and liberty everywhere, known as the Communist Party.

Now, with that as a point of departure in our discussion, kindly tell us, are you now a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. McBAIN. First, I would like to know if this question—I think that I understand your position, I have heard that before. That hasn't specificity to my notion clear enough if I am going to answer this question—

Mr. ARENS. If I may go one step further, while you are under oath tell us—

Mr. McBAIN. Let me finish my sentence.

Mr. ARENS. I solicit from you now, as to whether or not you are a member of the Communist Party, and if you tell us, "Yes, I am now a member of the Communist Party," then I intend to pursue that and ask you about present techniques, present strategies, present tactics of the Communist Party, so that this subcommittee can return to Washington with this information and appraise it along with other information which we are gathering from the four corners of this Nation, with the end in view of appraising proposed changes in the security laws in order to cope with this conspiratorial force, known as the Communist Party.

Now for the third time, sir, would you kindly tell this committee, while you are under oath, are you now a member of the Communist Party?

Mr. McBAIN. My answers to questions certainly should be based in general on things now—

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness now be ordered and directed to answer the last outstanding principal question, namely, are you now a member of the Communist Party.

Mr. WILLIS. Yes. I direct you to answer the question.

(The witness conferred with his counsel.)

Mr. McBAIN. I have answered that.

Mr. ARENS. Sir, you are reading from a prepared statement?

Mr. McBAIN. That is correct.

Mr. ARENS. Tell us who prepared that statement.

Mr. McBAIN. This was prepared—

Mr. ARENS. Was that statement prepared by any person known by you to be a member of the Communist Party?

Mr. McBAIN. Look, I have no way to know whether my lawyer is a member of the Communist Party or not, and I am not going to be intimidated trying to Red-bait my lawyer. I asked my lawyer, "Wait a minute. I don't like getting pushed around here." I have a right

to have my lawyer tell me the standard answers. I am not a lawyer, I don't—

Mr. ARENS. You are reading standard answers I take it.

Mr. McBAIN. That is correct.

Mr. ARENS. That was prepared by your lawyer.

Mr. McBAIN. That is correct.

Mr. ARENS. Go right ahead and read it.

(The witness conferred with his lawyer.)

Mr. McBAIN. These are constitutional answers. Now this I think that I—

Mr. ARENS. Go ahead and read, if you please.

Mr. McBAIN. Read this. I want it for the record.

Mr. ARENS. Go right ahead and read them, please.

Mr. McBAIN. What I stated before, I answered these questions before in 1952. So that the requirement to answer the same again now can serve no useful purpose, and I regard it merely as an effort on the part of the committee to expose me for the purpose of exposure. I therefore refuse to answer the questions for the following constitutional reasons:

(a) I am unenlightened as to the subject to which this question is pertinent. I therefore am unable to answer it because it is not pertinent to any issue which your committee has been directed to inquire into.

I also decline to answer on the grounds of the first amendment to the Constitution of the United States which guarantees me the freedom of speech that I can talk to who I want, it wasn't meant that I talk to myself; the freedom of press, to read what I want and what should be printed; and so assemble and meet people without being pried into. That is my personal affair guaranteed by this first amendment. Now I resent this committee overriding the first amendment.

(c) For the reason that the inquiry infers an encroachment upon the judicial power of the United States.

And for the reason that the question constitutes an unreasonable search under the fourth amendment. You have me out in public probing into my brain. I don't think you have the authority to dig into what I am thinking about.

(e) For the further reason that the question denies me due process under the fifth amendment to the Constitution in that it deprives me of property without due process of law. I lost a day's pay to come down here. I have been blacklisted, blackballed by this committee, and this is my living. This sort of thing is depriving me of my property, my paycheck, the right to make a living, support my family.

For the further reason that under the fifth amendment to the Constitution I have been twice placed in jeopardy, by reason of the fact that I appeared before this committee resulting in the loss of my jobs over and over again, directly tied up with the blacklisting of me; my picture all over the newspapers so I can be blackballed and blacklisted, that I have a problem to support my family.

(The witness conferred with his counsel.)

Mr. McBAIN. And last and finally, the further reason is that under the fifth amendment to the Constitution of the United States this unauthorized committee has absolutely no power to make me or to force me to testify in any way against myself.

Mr. ARENS. Do you honestly apprehend, sir, that if you gave us a truthful answer while you are now under oath as to whether or not you are this instant a member of the Communist Party, you would be supplying information which might be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. McBAIN. I think I made my statement.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that question.

(The witness conferred with his counsel.)

Mr. WILLIS. That is a perfectly good request because it is a test of your sincerity in the invocation of the plea, so I order you to answer the question.

(The witness conferred with his counsel.)

Mr. McBAIN. I would like to have him repeat that question, please.

Mr. ARENS. Do you honestly apprehend, sir, that if you told this committee truthfully while you are under oath whether or not you are this instant a member of the Communist Party, you would be supplying information which might be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. McBAIN. I don't believe this committee has the right to make such a test against me but in answering this I use the same answer I have before. If you want me to read this or if you want to show it in the record that this is my answer, either way it is the best, but I challenge the committee the right to make any test on me, the authority.

(The witness conferred with his counsel.)

Mr. McBAIN. And I am refusing to answer for the same reasons as I heretofore—

Mr. ARENS. Do you presently have knowledge respecting the current operation of the conspiratorial force, known as the Communist Party, in the Chicago area?

(The witness conferred with his counsel.)

Mr. ARENS. Would you kindly answer the question?

Mr. McBAIN. This committee is again trying to probe into my mind, what is in my mind, and so forth, which as I stated before—

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. WILLIS. You are excused. And you may claim your voucher, and you are so reminded.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Mr. Edwin Alexander.

Kindly come forward, Mr. Alexander.

Mr. WILLIS. Please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ALEXANDER. I do.

Mr. Chairman, my counsel has asked me, Mr. Chairman, that you furnish him with a copy of the statement of purposes of the committee and the rules of the committee, since he was not present yesterday when they were read.

Mr. ARENS. We will make them available in just a second as soon as we dig them out here, after you have been sworn.

Mr. ALEXANDER. Yes.

Mr. Chairman, may I ask one other thing in regard to the taking of pictures during the conduct of testimony?

Mr. WILLIS. Yes. If you object to it, then it will be stopped right now.

Mr. ALEXANDER. Yes, I do. Thank you very much.

**TESTIMONY OF EDWIN A. ALEXANDER, ACCOMPANIED BY COUNSEL,
WILLARD J. LASSERS AND F. RAYMOND MARKS, JR.**

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. ALEXANDER. My name is Edwin A. Alexander. I live at 2211 East 97th Street, Chicago, Ill. My occupation, I am a member of the professional staff of a philanthropic social work agency, the Jewish Federation, Metropolitan Chicago. I am responsible for raising the deficit funds and the capital building funds for a group of some 11 social agencies in Chicago which I consider to be very worthwhile organizations.

Mr. ARENS. You are appearing today in response to a subpoena served upon you by the Committee on Un-American Activities?

Mr. ALEXANDER. That is correct.

Mr. ARENS. And you are represented by counsel?

Mr. ALEXANDER. That is correct.

Mr. ARENS. Counsel, would you kindly identify yourself?

Mr. LASSERS. My name is Willard J. Lassers, of Chicago, Ill.

Mr. MARKS. F. Raymond Marks, Jr., of Chicago, Ill.

Mr. ARENS. Where and when were you born?

Mr. ALEXANDER. On June 25, 1917, Bronx, New York City.

Mr. ARENS. Give us, please, a word about your education.

Mr. ALEXANDER. I went to high school, DeWitt Clinton High School, New York City, and attended the College of the City of New York.

Mr. ARENS. When did you graduate from the College of the City of New York?

Mr. ALEXANDER. I did not graduate from the College of the City of New York.

Mr. ARENS. When did you complete your education there?

Mr. ALEXANDER. Approximately 1933 or 1934.

Mr. ARENS. Did that complete your formal education?

Mr. ALEXANDER. My formal education?

Mr. ARENS. Yes.

Mr. ALEXANDER. Well, it all depends what sense you want to take that in. I attended the Allied Technical Institute in Chicago about 1949, studying machinist trade and this last, just recently within the past few months I was a student at Roosevelt College extension program creative writing workshop.

Mr. ARENS. How long have you been employed at your present place of employment?

Mr. ALEXANDER. Since January 13, 1958.

Mr. ARENS. What was your employment immediately prior to your present employment?

Mr. ALEXANDER. Immediately prior to that I have been unemployed for close to a month. Before that I was engaged in the tool and die makers trade. The last company I worked for specifically was the Zeitergraf Co., for which I worked until 3 days before Christmas 1958, at which time I was laid off because the company went out of business.

Mr. ARENS. Were you living in New York at the time that you obtained your degree there—excuse me, completed your education there, what training you did receive?

Mr. ALEXANDER. At the College of the City of New York?

Mr. ARENS. Yes.

Mr. ALEXANDER. Yes.

Mr. ARENS. Where did you next live, where was your next place of residence?

Mr. ALEXANDER. City of Chicago.

Mr. ARENS. And over what period of time were you then in continuous residence in the city of Chicago?

Mr. ALEXANDER. Chicago? That was so long ago that it would be hard—I wouldn't like to be held to its accuracy. I would estimate approximately 6 months.

Mr. ARENS. Then where did you go?

Mr. ALEXANDER. Los Angeles.

Mr. ARENS. How long were you there?

Mr. ALEXANDER. Again approximately 6 months.

Mr. ARENS. What occasioned your trip to Los Angeles?

Mr. ALEXANDER. My job from 1934 approximately, the time I left City College, after a few months, later I was employed as a field organizer, as a regional organizer, first for the National Student League and then for the American Student League. This required that my first area of activity was Chicago, where I went, and then I was sent by the national committee of that organization to the Los Angeles area to be the California representative.

Mr. ARENS. About what year are we in now?

Mr. ALEXANDER. What is that?

Mr. ARENS. About what year are we in now?

Mr. ALEXANDER. Well—

Mr. ARENS. Roughly speaking?

Mr. ALEXANDER. Roughly speaking 1934–35.

Mr. ARENS. All right, sir. What was your next employment?

Mr. MARKS. Counsel, do you mind if he smokes?

Mr. ARENS. It is prohibited in the courtroom.

What was your next employment?

Mr. ALEXANDER. My next employment after that was as a full-time official for the district office of the Young Communist League of California.

Mr. ARENS. Over what period of time did you serve in the district office of the Young Communist League?

Mr. ALEXANDER. There was one interruption. I would say again it is difficult to say exact dates, approximately 1935 to about somewhere in the early 1940's. During that period there was one interruption. I was for a period of approximately 2 years out of that period, I was a restaurant worker in the city of San Francisco, and I was elected to two full-time posts in the Restaurant Workers' Union of the AFL. I served as assistant secretary of the Miscellaneous Employees' Union,

the Hotel Restaurant Employees' International Alliance, and I served as business agent of the Hotel Restaurant Employees' International Alliance and Miscellaneous Employees' Union in San Francisco for a short period during that time.

Mr. ARENS. Would you tell us the specific title you had with the Young Communist League, please?

Mr. ALEXANDER. I believe while I was in California that I had two titles. One was a district educational director. One was a district organizational director.

Mr. ARENS. When did you become disassociated from the full-time work with the Young Communist League?

Mr. ALEXANDER. Again I couldn't be certain of the exact date. I moved from California—

Mr. ARENS. Was it in the early 1940's?

Mr. ALEXANDER. From the Young Communist League?

Mr. ARENS. Yes.

Mr. ALEXANDER. Yes. I graduated from the Young Communist League and became a full-time official in the Communist Party.

Mr. ARENS. When did you become a full-time official in the Communist Party, just roughly speaking?

Mr. ALEXANDER. Very roughly in the early 1940's.

Mr. ARENS. Tell us, when did you join the Communist Party?

Mr. ALEXANDER. I believe I joined the Communist Party in approximately 1934 or 1935. I was a member of the Young Communist League for a short period without being a member of the Communist Party and then joined the Communist Party.

Mr. ARENS. Tell us how long you maintained your membership in the Communist Party.

Mr. ALEXANDER. I maintained my membership in the Communist Party from approximately 1934 until 1948.

Mr. ARENS. May I inquire, have you ever made available to a congressional committee or any agency of the Government, facts respecting your membership in the Communist Party?

Mr. ALEXANDER. I have never been asked by any Government agency these facts before. This is the first occasion at which I have been asked them, and I gladly volunteered them.

Mr. Chairman, may I state something surrounding the circumstances of withdrawing from the Communist Party in 1948?

Mr. ARENS. I expect to take you over the whole ground so we can take in a uniform pattern here which I think would be easier for you and be more clear for us, if you please.

Mr. ALEXANDER. Hope you will. Very relevant why I—

Mr. ARENS. Yes, sir. Very delighted to pursue this with you.

Now, tell us where and when you joined the Communist Party and in your own words, and I will try to restrain myself until I have a particular question to fill in, where and when you joined the Communist Party and in your own words the various posts that you held in the Communist Party. Then we will come back and get additional information.

Mr. ALEXANDER. All right.

Mr. ARENS. I want to say now, so there will be no sense of us being at all other than completely open and aboveboard—

Mr. ALEXANDER. Right.

Mr. ARENS. We did not, until you just said so, know that you were going to tell this committee of your Communist career. We did know of your Communist career. We did not know, had no basis on which to suspect that you would tell us of your Communist career.

Now, proceed at your own pace, sir, to tell us where and when you joined the Communist Party and the various posts you held in the Communist Party up until you disassociated yourself from the Communist Party until 1948.

Mr. ALEXANDER. I did not disassociate myself from the Communist Party in 1948.

Mr. ARENS. We will get up to that in a little while.

Mr. ALEXANDER. I joined the Communist Party in approximately 1934 or 1935. I have already detailed to you the posts I held in the Young Communist League. I was requested to go to Seattle, Wash., by the national committee of the Young Communist League, serve as district organizer of the YCL for the States of Washington, Oregon in the early 1940's. This I did. I accepted it. I accepted the request and went.

For a short period I was requested by the national committee of the Young Communist League to return to New York City and serve as assistant editor of the Young Communist League national newspaper, which I did. The Young Communist League at this point was dissolved itself by a national convention. I can't remember the exact year. But at this time I returned to the State of Washington, the city of Seattle, which I then considered my home. And I assumed a full-time post in the Communist Party.

Mr. ARENS. May I interrupt just there—

Mr. ALEXANDER. Yes, sir.

Mr. ARENS. To ask you a question. Upon the dissolution of the Young Communist League—

Mr. ALEXANDER. Right.

Mr. ARENS. There was formerly an entity known as either the League for Industrial—it was the American Youth for Democracy, was it not, as a successor organization?

Mr. ALEXANDER. In one sense, in another sense it was not completely a successor organization. In one sense it was. In one sense it was not.

Mr. ARENS. The AYD, American Youth for Democracy, was controlled by the Communist Party, was it not, by Communists?

Mr. ALEXANDER. Well, I graduated from the youth movement at that point. I would say that I think the Communists themselves greatly regretted that the American Youth for Democracy was controlled by Communists. They felt that the need had passed for a specifically Communist youth organization, and this is why they dissolved this Young Communist League in the hope that a non-Communist youth organization could be established. However—

Mr. WILLIS. As a front actually?

Mr. ALEXANDER. Well, some people would prefer to call it that. I don't think they meant it in that sense at all. I think they meant that our country was in a serious degree of danger from Hitler at that time, and from internal fascism, and I think they wanted to create—no matter how much I am opposed to the Communist Party today, I want to be as fair and objective about the thing as I can. I think

they wanted at that time to create a youth movement which was genuinely opposed to fascism and which would extend far beyond the Communists.

They felt that the Young Communist League had the limitation that in order to be a member of it you would have to subscribe to the principles of communism. They felt at that time that as the Communist Party continued to exist that any young person who wished to subscribe to the principles of communism could become a member of the Communist Party itself. And that the interests of preserving democracy and fighting against fascism in our country could better be served by a non-Communist anti-Fascist youth organization which, although it included Communists, would not be Communist in its program.

I don't think the Communists themselves believed that they succeeded very well, and they were constantly dissatisfied with the fact that far too great a proportion of the leadership, membership of the American Youth for Democracy, were continuing to be Communists. However, I don't have too much expert knowledge on that since at that time I left the youth movement and became an official of the Communist Party itself and was more concerned with adult problems.

Mr. ARENS. Now would you proceed with a chronology of your posts in the Communist Party itself, which, I understand, from what you said a few moments ago began about—

(The witness conferred with his counsel.)

Mr. ALEXANDER. Pardon me. Would you repeat that question?

Mr. ARENS. Proceed, if you please, with the chronology of the assignments and posts that you held in the Communist Party.

Mr. WILLIS. He had just entered.

Mr. ALEXANDER. Yes. I was getting to that. You got me off on the track of the AYD.

Mr. ARENS. Let us date this now so our record is clear. You left the Young Communist League.

Mr. ALEXANDER. In early 1940's.

Mr. ARENS. Entered the party?

Mr. ALEXANDER. Right.

Mr. ARENS. Now proceed there, please, sir.

Mr. ALEXANDER. I then returned to Seattle, Wash., and held several posts. I am not quite certain which posts I held before I entered the Army. I was either district organizational director or district educational director.

Mr. ARENS. Were you a paid functionary of the Communist Party?

Mr. ALEXANDER. Yes; I was.

Mr. ARENS. Who was your immediate superior?

Mr. ALEXANDER. Mr. Chairman, I would respectfully like to decline to answer that question for the following reasons: I am extremely willing to be cooperative and frank and candid about my own activities.

Mr. ARENS. We will come back to that in a little while. I would like to get your chronology on here. We will pursue that question with you a little while later. You are in the early 1940's and going into the Army.

Mr. ALEXANDER. I was either district educational director or district organizational secretary of the Communist Party on a full-time

basis until I was inducted into the Army in approximately May of 1944, I believe. As was the requirement in the Communist Party at that time I dropped my membership in the Communist Party in order to become a soldier in the United States Army. I served in the Army until May 1946.

Mr. ARENS. Just a word as to where you served, please.

Mr. ALEXANDER. Most of that time was spent overseas in the China, Burma, India theater. There I held the post of associate editor of the CBI Round-Up, which was the equivalent of Stars and Stripes for the CBI theater. It was the official Army paper in that theater.

Mr. ARENS. We have some exhibits of yours in the CBI Round-Up operation. I will not pursue them now except to ask you this question: You said you dropped your Communist Party membership?

Mr. ALEXANDER. Right, that—

Mr. ARENS. That was what was a technical disassociation only, was it not?

Mr. ALEXANDER. No, not altogether. Not altogether.

Mr. ARENS. Did you do it at the direction of the party?

Mr. ALEXANDER. Well, everything I do, I do voluntarily, I may agree with the party.

Mr. ARENS. Did the party direct you to do it?

Mr. ALEXANDER. I do what I think.

Mr. ARENS. It was party policy?

Mr. ALEXANDER. It was policy of the party, yes, because the party believed that the United States in fighting against fascism needed support, that the United States Army was an Army fighting against fascism. It had to be a unified military organization and that for one to be a member of the Communist Party within the Army, as lawyers, for example, sometimes say there might be a problem of allegiance or loyalties and so on. They felt someone in the United States Army ought to obey the discipline only of the United States Army.

Mr. ARENS. May I inquire just a word? I don't want to interrupt any more than necessary. This is an important theme from the standpoint of the fund of knowledge of this committee. During your service in the United States Army from 1944 to 1946, you still maintained yourself as a Marxist, did you not, even though you were disassociated from the formal organization known as the Communist Party?

Mr. ALEXANDER. At that time I was a Marxist, yes. I considered myself a Marxist.

Mr. ARENS. Would you pick up the theme in 1946 and go right on?

Mr. ALEXANDER. In 1946 I was honorably discharged from the Army.

Incidentally, when I entered the Army it was with the knowledge of the United States Army that I was an officer of the Communist Party and when I went into the Army my special number given to me by the Army was that of organizer because I told them that my occupation was Communist Party organizer.

Mr. ARENS. At that time they had a movement on in which they were commissioning people who were known as Communists in the United States Army; isn't that correct?

Mr. ALEXANDER. Yes. To the best of my knowledge.

Mr. ARENS. Pick up the 1946 date.

Mr. ALEXANDER. In 1946 I was discharged from the Army. I returned to Seattle, Wash., and I again assumed fulltime work in the district office of the Communist Party, either in the role of educational director or organizational director, I don't recall which. In 1948 I was publicly expelled by the district committee of the Communist Party of Washington on the grounds that I was an enemy of the party, an enemy of the working class, an accomplice of the FBI.

Mr. ARENS. The party made a mistake then, didn't it?

Mr. ALEXANDER. I think so. I think it has been disproven. Do you want me to go ahead, or ask me questions?

Mr. ARENS. I want you to hesitate there just a moment.

Mr. WILLIS. I am interested in that. You were not an undercover agent for the FBI?

Mr. ALEXANDER. Most assuredly not. I am not undercover about anything for anybody.

Mr. ARENS. In 1948 the Communist Party started becoming security conscious, was it not?

Mr. ALEXANDER. Yes.

Mr. ARENS. And they were expelling from the party anyone they suspected of being either an informant for the FBI or informant for this committee or informant for any Government agency; isn't that so?

Mr. ALEXANDER. Generally speaking.

Mr. ARENS. You were just caught in the net of the Communist Party itself; is that correct?

Mr. ALEXANDER. In a sense. It is a great deal more complex matter than that, Mr. Chairman.

Mr. ARENS. I do not want to get into too much detail in this particular session.

Mr. ALEXANDER. Neither do I.

Mr. ARENS. Then tell us what happened.

Mr. ALEXANDER. When I was expelled from the Communist Party, I moved to the city of Chicago and began to learn the trade of machinist and tool and die-maker. I worked at several shops, went to the Allied Institute to learn that trade. In 1950—pardon me, in approximately 1951 I was reaccepted into the party.

Mr. ARENS. Excuse me a minute. I want to get that date down here. In 1951 you got back into the party?

Mr. ALEXANDER. Approximately.

Mr. ARENS. Where was that, here?

Mr. ALEXANDER. In the city of Chicago.

Mr. ARENS. In what capacity?

Mr. ALEXANDER. May I ask, Mr. Chairman—there has been a great deal of prior newspaper publicity; the previous witness has testified and so on that it is a well-known public fact that there has been a great commotion in Local 113 in Tool and Die Makers Union in the last 3 years. While I am perfectly willing to be candid and honest about all my affiliations, sometimes the establishment of a half-truth, as any of you well know, can give the exact opposite appearance.

I want to testify either at this point or I would like to receive assurances that I can testify at some other point as to the exact and true relationship between the Communist Party and the rank and file caucus in Local 113.

Mr. ARENS. We will get into that in a little while.

Mr. ALEXANDER. Otherwise the simple parallelism of my Communist membership and my union membership would give exactly the opposite picture of the truth. Mr. Chairman, may I be assured I will have full opportunity of hearing that?

Mr. WILLIS. I am not so sure I followed what you have in mind. I am afraid you have things in mind that you didn't make clear to me.

Mr. ALEXANDER. Mr. Chairman.

Mr. ARENS. We will give you an opportunity to pursue anything you want to say here in a little while. We do and insist in a little while on some information we don't think you are going to want to give us.

Mr. ALEXANDER. All right. I may have some information which you do not know and may not wish to hear, I don't know. It will be—

Mr. ARENS. We have considerable. On the basis of what you said and basis of what I have before you now, the identification and rank we know you have held in the party and the instructorship you had in the Communist Party training schools and the like, leadership schools, we think you have considerable information.

I am just sorry you didn't make yourself available to us prior to this particular session if your attitude is one of thorough cooperation, because we feel you have considerable information that can be of service to this Government.

Now, in 1951 you are back in the party. Tell us now the rest of your career until you became completely disassociated.

Mr. ALEXANDER. I was in the Communist Party from approximately 1951 until 1956. During this period I was working.

Mr. ARENS. Where?

Mr. ALEXANDER. Here in Chicago. I was working in various shops, a good number of them as a first machinist and then a tool and die maker. To become a good tool and die maker you have to work in a lot of shops, believe me.

In 1956 I resigned from the Communist Party voluntarily. Again I might say about one step ahead of being expelled for the following reasons: I was a member of Local 113 at this time and a member of the Communist Party. In December of 1955 a rank-and-file movement began in Local 113 aimed at the very things which the United States Senate is now trying to embody in legislation, clean unionism, the abolition of undemocratic procedures in the local, the ending of corrupt financial practices on the part of the business agents, and so on. I voluntarily as an individual took part in this movement because I thought what now all the newspaper editorials urge, what now the Kennedy committee urges is correct.

Mr. WILLIS. What?

Mr. ALEXANDER. I will establish the connection very soon.

Mr. WILLIS. I just wanted to—

Mr. ALEXANDER. Why I left the Communist Party—

Mr. WILLIS. Local 113 is in what area of industry?

Mr. ALEXANDER. Local 113 tool and die makers union.

Mr. WILLIS. What?

Mr. ALEXANDER. The tool and die makers local of the International Association of Machinists.

Mr. WILLIS. Oh.

Mr. ALEXANDER. I became interested in this rank-and-file movement because I felt, and a great number of other people felt in the local, with the Kennedy committee, and what the Chicago newspapers now say editorially is right, that if labor is going to avoid crippling legislation it is up to the membership of the unions to take matters into their own hands in a democratic fashion and clean house. The rank and file movement in this union did this. So effective was the exposures to some of the practices of the business agents that all the business agents of the local voluntarily resigned and left Chicago. I participated in this rank-and-file movement. I was never a leader of it. I wasn't the very steady and consistent member of it, but because I participated in this rank-and-file movement, which has been made out by somebody, somewhere, sometime, to be an alleged Communist subversive plot, seizure of power in the union, which it most emphatically was not, because I participated in this rank-and-file movement, the club of the Communist Party to which I belonged issued, forbade me or any other Communist to participate in this rank-and-file movement.

The Communist Party then put me on suspension and said that if you participate in this rank-and-file movement any longer as you have been doing, you will be expelled from the Communist Party.

Mr. ARENS. For how long were you on suspension?

Mr. ALEXANDER. Oh, I don't think I was on suspension for more than 5 minutes.

Mr. ARENS. Go right ahead.

Mr. ALEXANDER. As soon as that happened my mind about the Communist Party was quite well made up. This was just about the time that events in Hungary were transpiring and so on. By now things were quite clear. I quit the Communist Party because had I stayed in I would have been expelled from the Communist Party for taking part in this honest unionism, clean-up unionism, rank-and-file movement.

To me there was a clear conflict of interest there. The Communist Party branch to which I belonged, I think, by this time was so weak and so impotent and had become so dogmatic and so removed from the membership of the union, that they took what I think was a very mistaken position. They took the position that Al Hayes represented the best section of the labor movement, that there was an internal political struggle going on in the labor movement.

Mr. ARENS. This committee is not interested in the internal struggles of any particular labor organization. We are interested solely and exclusively in Communists, Communist activities, the Communist Party, the Communist conspiracy, and the like.

Mr. ALEXANDER. I am trying to establish simply by this testimony that the rank-and-file caucus movement in Local 113 was not, as has been alleged, a part of the Communist conspiracy at all. Quite the contrary, I was going to be expelled from the Communist Party because I participated in it.

Mr. ARENS. You were expelled in 1956?

Mr. ALEXANDER. I was not expelled. I resigned before I could be expelled, let's put it that way.

Mr. ARENS. When did your connection with the Communist Party terminate?

Mr. ALEXANDER. 1956.

Mr. ARENS. Did you participate in Communist Party activities after 1956?

Mr. ALEXANDER. No.

Mr. ARENS. You are confident of that?

Mr. ALEXANDER. I did not. I did not. I attended many Socialist affairs for 6 months or a year after leaving the Communist Party. I still was hopeful that a leftwing movement might be reconstituted in this country. I attended meetings of various Socialist groups that were attempting to do something of this sort. But I never attended any meetings of the Communist Party for members of the Communist Party only. I am certain that if I put in an appearance at the door I would have been excluded.

Mr. ARENS. Are you now completely, irrevocably, against the Communist Party?

Mr. ALEXANDER. That again, I am not trying to dodge the answer to that question. Yes. I am against the Communist Party. But that is a big question. I happen to be writing a book about my attitude on that question. So far I have written 150 pages, and I am not near done, so I can hardly hope to do justice to it.

Mr. ARENS. Do you care to tell us whether or not you are still a Marxist?

Mr. ALEXANDER. No, I am not.

Mr. WILLIS. Let us take a recess for 10 minutes at this point.

(Subcommittee members present: Representatives Willis and Johansen.)

(A brief recess was taken.)

(Subcommittee members present: Representatives Willis and Johansen.)

Mr. WILLIS. The subcommittee will please come to order.

Counsel may proceed.

Mr. ARENS. Now, for the next several minutes I should like to inquire respecting some of your own functions and activities in the Communist Party. Did you ever teach in any leadership training school in the Communist Party?

Mr. ALEXANDER. Yes, certainly.

Mr. ARENS. Where?

Mr. ALEXANDER. In the Seattle, Wash., area when I was educational director; possibly in California. I can't quite remember.

Mr. ARENS. What did you teach, what courses?

Mr. ALEXANDER. I can't remember the specifics. As educational director of the district organization I was the director of the district party training school. I probably taught several courses, but after eleven years I can't remember the specific titles of them.

Mr. ARENS. Can you remember any of the courses which you taught?

Mr. ALEXANDER. I can't remember specifications.

Mr. ARENS. Did you teach any courses on revolution, techniques of revolution, or were these public courses?

Mr. ALEXANDER. I taught courses on Marxism, Leninism, certainly.

Mr. ARENS. And over what period of time did you teach Marxism and Leninism?

Mr. ALEXANDER. I am certain scattered through the period from 1940 to 1948 I taught some courses many times, oh, many times that I can't recall the individual dates or titles or courses.

Mr. ARENS. Now, your disassociation from the Communist Party did not thus far from your explanation include a disassociation from the ideology of communism. Have you disassociated yourself or have you developed an antipathy to the ideology of communism; namely, that there is no God, that we are controlled by materialistic forces, that there must be a world revolution? Are you disassociated from the ideology of communism?

Mr. MARKS. Are you talking about now?

Mr. ARENS. I am talking to the witness, if you please.

Are you disassociated now from the ideology of communism?

Mr. ALEXANDER. Honestly, Counsel, I disassociated myself now from the ideology of communism but I could not state as a person who tried to read some books in my life that your descriptions of the ideology of communism—I don't believe that to be quite exact or fair—although I do disassociate myself from the conception of ideology of communism that I had gotten from some 20 to 25 years of study of it and a great number of other subjects.

Mr. ARENS. Have you been educational director of the Communist Party for the State of Illinois?

Mr. ALEXANDER. No.

Mr. ARENS. What have you done in educational work in the State of Illinois?

Mr. ALEXANDER. Nothing that I can recall. In the State of Illinois, as I stated, way back in 1934 or 1935 I was not an official of the Communist Party or the Young Communist League, and when I was a member of the Communist Party of the State of Illinois from approximately 1951 to 1956, having recently been reaccepted into the Communist Party, I was certainly not a leader of the Communist Party.

Mr. ARENS. Was your acceptance in the Communist Party at your solicitation?

Mr. ALEXANDER. Yes. Having been accused of personal dishonesty by the Communist Party in 1948, perhaps quixotically, looking back on it I was very anxious to clear my own record and my own conscience but I felt it was the wrong way to do so.

Mr. ARENS. Did you become cognizant of the Communist in the 1950's—of the treachery of the Communist operation?

Mr. ALEXANDER. Well, in 1956, when I left the Communist Party, as I say, I left it because there was a clear conflict of interest between the membership of Local 113 and the rank and file caucus of 113 and the Communist Party. That is why I left.

Mr. ARENS. Were you cognizant of the control of the Communist Party of the United States by the Kremlin?

Mr. ALEXANDER. That control, again, Mr. Chairman, that is a simple word which covers up a complex problem. One of the reasons why I left the Communist Party was because I felt that the Communist Party in the United States attempted much too much to pattern itself upon policies formed by the Soviet Communist Party and that the Soviet Communist Party attempted too much to a great extent to guide the policies of the American Communist Party.

Mr. ARENS. Were you cognizant of the——

Mr. ALEXANDER. As a consequence, the American Communist Party became futile and ineffective.

Mr. WILLIS. May I ask a question at this point?

Along the lines of direction and control of policies of the American party by the Soviets, and picking up your thoughts with reference to the policy of the American Communist Party during World War II, when there was a common fight, as you said, against fascism, I would be interested to have as frank a statement from you as——

Mr. ALEXANDER. Certainly.

Mr. WILLIS. ——as you would kindly inform us on what was the policy of the Communist Party during the Korean war as to righteousness of our cause or what was the official line? Would you care to talk about that?

Mr. ALEXANDER. Would you please refresh my memory about the year of the Korean war?

Mr. WILLIS. The Korean war was June 1950, I think it started and lasted a year or so. You were not in the party?

Mr. ALEXANDER. I was not in the party in 1950, no. I rejoined in approximately 1951 or 1952.

Mr. WILLIS. The war was on to 1953, actually. Do you have any knowledge on that, because we have our own opinions on it and we have some executive information that we received in the committee and I am curious to know if you have any judgment on that.

Mr. ALEXANDER. I have knowledge, not expert knowledge, because I was not a leader of the Communist Party at that time. My knowledge of Communist Party policies is based on the same sources as your own, publicly printed statements and so on.

Mr. WILLIS. What is your knowledge?

Mr. ALEXANDER. My knowledge of it is that the Communist Party opposed the position of the American Government in entering that war and felt that the North Koreans represented the trend among all the colonial peoples of the world toward their national independence and that the United States was intervening against themselves on the side of a rather reactionary and corrupt old gentleman by the name of Syngman Rhee, who the people of South Korea didn't like any better than the people of North Korea, who himself was what we attempted to call a Fascist dictator.

I think that was the position of the Communist Party at that time. I am not stating that that is my opinion or my position at the present time. I am not stating that it is or isn't. You simply asked me to state what I remember of the position of the Communist Party at that time.

Mr. JOHANSEN. Mr. Alexander.

Mr. ALEXANDER. Yes, sir.

Mr. JOHANSEN. I understand you to testify that the party at least because of the guidance, I think was the word you used, of the Kremlin in the affairs of the Communist Party of the United States being too extensive, in consequence of that the Communist Party of the United States became futile and ineffective.

Mr. ALEXANDER. Yes, sir.

Mr. JOHANSEN. In respect to what goals or objects or purposes did you feel that it had become futile and ineffective?

Mr. ALEXANDER. I thought it became futile and ineffective in regard to the goals for which I joined it and that was social progress and advancement of democratic rights in the United States, the creation of a more equitable social and economic order in the United States. I think that the Soviet Communist Party having no first-hand knowledge of the American political scene was in a very poor position to make suggestions to American Communists about what political strategy and so on they should employ and that the American Communists were very ill advised in, so to speak, hanging on the word of every Pravda and Izvestia editorial that came out to try to catch the latest slant and how they should apply that to the American situation. And the ideals for which I joined the Communist Party were effective social progress, work for social legislation, the unifying of the labor movement and all the liberal people in the United States to achieve these immediate goals and a more equitable social order.

I think the Communist Party went way off the track because the way, for example, the new social order had been achieved in Russia or in China, I don't think has hardly any relevance to the United States with its constitutional form of democracy, and that is the only way, the only effective way of making improvements in the social and economic order of the United States which I do think could bear improvement, and I think everybody could agree, I don't think that Russians or Chinese can be of much help to anybody in understanding how to improve our setup here under our type of government. Our type of government, they just haven't been brought up, they are not familiar.

Mr. ARENS. Are you cognizant of the fact that in the ascendancy of communism in Soviet Russia an estimated 20 million human souls have been liquidated, crushed.

Mr. ALEXANDER. I don't know the exact number. I am certainly cognizant of the fact that millions of people have suffered very deeply and many have been illegally murdered in the Soviet Union. That is one of the reasons why I quit the Communist Party.

Mr. ARENS. Are you cognizant of the fact that in Red China an estimated 40 million human lives have been snuffed out in the ascendancy of this force known as communism?

Mr. ALEXANDER. I am no expert on China and I don't know whether that is true or not. I might say this—that all—

Mr. ARENS. What is your estimate on the number of human souls that have been destroyed in Red China?

Mr. ALEXANDER. I have no estimate. I have no way of estimating at all.

Mr. ARENS. Have you any doubt but what millions of human souls have been destroyed by this force known as communism in Red China?

Mr. ALEXANDER. It is highly possible and I am opposed to those methods of bringing—may I answer?

Mr. ARENS. Are you cognizant of the fact right now, while I am talking to you, in Red China—

Mr. ALEXANDER. May I finish answering?

Mr. ARENS. They have a system known as the spread eagle where they take people who are against the regime and they tie one hand to a horse, another hand to a horse, their head to a horse, a foot to a

horse, and the other foot to a horse and then they pull them bodily apart. Are you cognizant of that going on now in Red China?

Mr. ALEXANDER. I have no expert knowledge of these facts.

Mr. ARENS. Are you cognizant—

Mr. ALEXANDER. I have read in the newspaper and I have no way of evaluating.

Mr. ARENS. Are you cognizant of the fact that Stalin, who over the course of a generation was the leader of this force of communism, was by his own colleagues, the present leader Khrushchev condemned as one who was brutal, a murderer, who destroyed hundreds of thousands of his colleagues in the ascendancy of this force in Soviet Russia? Are you cognizant of that fact?

Mr. ALEXANDER. Very cognizant of it. That is why I left the Communist Party.

Mr. ARENS. Are you cognizant of the fact that Khrushchev, the present leader of the Kremlin, is dripping in blood, that during the regime of Stalin, Khrushchev had charge of liquidation of an estimated 8 to 10 million of the Kulak class that he just mowed down, had mowed down and destroyed as a Kansas farmer would wheat? Are you cognizant of that fact?

Mr. ALEXANDER. I am cognizant of all the brutalities committed by the Stalin regime. That is why I left the Communist Party.

Mr. ARENS. Are you cognizant of the fact—

Mr. ALEXANDER. I have no expert knowledge of any of these questions.

Mr. ARENS. Are you cognizant of the fact that that same force is the force that has been let loose of which you were a part and parcel for 20 years in this country, under whose flag you have protection?

Mr. ALEXANDER. Mr. Chairman, I recall that the first question along this line of questioning I did not finish answering when counsel interrupted me. I would like that first question restated so I might finish answering.

Mr. ARENS. Let's finish this question first and then go back to it. Are you cognizant of the fact that you have dedicated 20 years of your life to the promotion, the development, and the activity of this awful force on the soil of the country under whose flag you have protection?

Mr. ALEXANDER. Mr. Chairman, I will be glad to answer this question after I finish completion of the first question.

Mr. WILLIS. Yes.

Mr. ARENS. Complete your answer.

Mr. WILLIS. I think he is entitled to have that first question read, if that is what he wants.

Mr. ARENS. Which question is it you are in doubt about?

Mr. ALEXANDER. I think it was the first in this line of questions. It had something to do with Red China.

Mr. ARENS. Yes. Are you cognizant, in a word, of the horror now in vogue in Red China?

Mr. ALEXANDER. Mr. Chairman, I would request that the question as stated in the record be read back.

Mr. WILLIS. I think you remember it substantially, don't you?

Mr. ALEXANDER. I am not certain.

Mr. ARENS. The essence of it, then, I shall now repeat, are you cognizant of the fact that in Red China now they are separating families, that they are digging up the graves of the ancestors to use them for fertilizer, they are taking those people who are no use any longer to this machine and killing them off as you and I might slaughter hogs, all for the purpose of the ascendancy of this force in its awful terrorism, the like of which this planet has yet to see? Are you cognizant that now in Red China—

Mr. WILLIS. Let him answer that question fully, Counsel.

Mr. ALEXANDER. Mr. Chairman—

Mr. ARENS. Go ahead and answer it.

Mr. ALEXANDER. Mr. Chairman, I am advised by my counsel that I have the right to have the text of the question as originally asked to be read back to me from the record. I will be glad to finish answering it.

Mr. ARENS. If there will be an answer we will strike the question and use the question I just asked.

(The witness conferred with his counsel.)

Mr. ALEXANDER. Will you please restate it so I may answer accurately the question before.

Mr. ARENS. In essence, are you cognizant of the horror beyond human comprehension that is now in vogue in Red China?

Mr. ALEXANDER. Yes. I am cognizant of it and I am very much opposed to it. I am also cognizant of a great number of things that go on in the colonial world. I spent almost two years as an enlisted man in the American Army in India. I saw a great deal of all of southeast Asian nations. The first year I was in India under British rule, some 2 million people died of starvation in the streets of the city of Calcutta. Certainly I think this is a very difficult problem to solve. If you don't have rapid industrialization of these colonial countries, millions of people die of starvation each year as they used to in old China. If you do have the rapid pace of industrialization that is necessary to stop this slow daily starvation among the people of Asia and Africa, so far it appears that the only way that it has been successfully done has been through the rapid brutal methods now being used in China. I am against them but it is a genuine dilemma, believe me.

Mr. WILLIS. Pardon me. I don't want to interrupt you. We have instructions from the Federal judge not to permit smoking during hearings.

Mr. ARENS. Are you cognizant, sir, and this is the crucial question I want to pose to you now in all sincerity, that the force which has caused the destruction of an estimated 20 million people in the Soviet Union, that has caused an estimated millions upon millions to be destroyed in Red China, the force that cut loose in Korea, the force that cut loose in Hungary, the force that now has 33 million agents over the world in this Godless, atheistic communism, which is dedicated to the destruction of this Nation under whose flag you have protection is the same force to which you dedicated your life, your energies, your talents for 20 years?

Mr. ALEXANDER. Well, I think, Mr. Chairman, in all honesty, I would respect the staff director's description and ideals about com-

munism. I hope that he will respect my own. I am opposed to the Communist Party.

Mr. ARENS. Would you kindly just answer that question?

Mr. ALEXANDER. It is a very bad thing. I am answering it. I answered it by leaving the Communist Party. However——

Mr. ARENS. If you want to answer it, then tell us.

(The witness conferred with his counsel.)

Mr. WILLIS. I think——

Mr. ALEXANDER. May I finish this question?

Mr. ARENS. Go right ahead.

Mr. ALEXANDER. Much as I am now opposed to the Communist Party, I don't think that the Communist Party quite fits the description staff counsel gave and I think a good number of other people think so.

Mr. ARENS. Do you think communism——

Mr. ALEXANDER. May I finish answering the question?

Mr. ARENS. Go right ahead.

Mr. ALEXANDER. I think the problem might be stated in a nutshell like this, that there are people who are opposed to—both the Communists and the committee I think have an unfortunate habit of trying to force a person either to be a Communist or a supporter of the position of, well, one might call what might be called the modern know-nothing position. I think most of the people in the United States are in the middle between the two. And I think I share that position. I am opposed to communism, but I am not so naive as to subscribe to the devil theory of history. I am opposed to communism, but by being opposed to communism I don't think that I have to become a know-nothing, a witch hunter and that type of thing.

Mr. ARENS. We don't want you to become a know-nothing.

Mr. ALEXANDER. I think I can have an honest, dispassionate, objective, intellectual opposition to communism.

Mr. WILLIS. I understand.

Mr. ALEXANDER. Without becoming a witch hunter.

Mr. WILLIS. I think that answers the question adequately.

Mr. ARENS. Now, would you kindly tell us if you are opposed to communism, if you think it is an evil force, would you tell us, please, sir, the names of persons who to your certain knowledge are now participants as members of the Communist Party in the greater Chicago area?

Mr. ALEXANDER. You asked me knowledge of people who are now members of the Communist Party.

Mr. ARENS. Who as of 1956 when you left the Communist Party.

Mr. ALEXANDER. As of 1956?

Mr. ARENS. Yes, sir.

Mr. ALEXANDER. Mr. Chairman, I would beg respectfully to decline to answer that question because I have been going through the unfortunate experience, very possibly losing my own job, by virtue of being summoned up here because I was a Communist in the past though I am not any longer, and I am conscious while I have been freely willing to testify about myself, my own activities, in conscience I can't subject anybody else to the things I have been subjected to the past few days.

Mr. ARENS. May I ask you this question?

Mr. ALEXANDER. I decline to answer any questions concerning names of other people.

Mr. WILLIS. Let him complete. He has a right to explain his declination.

Mr. ALEXANDER. Matter of conscience.

Mr. ARENS. Just a matter of conscience in his case.

Mr. ALEXANDER. Right.

Mr. ARENS. Now, if you had been a member of a narcotics ring which was selling narcotics to destroy the bodies and souls of people in the Chicago area, and you for reasons of your own had decided, "Well, this narcotics ring isn't for me, I am now decidedly opposed to it," would you come forward and tell the Government of the United States or its authorized agency the names of other persons in that narcotic ring, so that the Government of the United States might develop factual information with which to protect this society against the machinations and marauding of the narcotics ring?

Mr. ALEXANDER. Mr. Chairman, I would like your advice. I think that we are discussing subversive activities, not a narcotics ring. I believe the question would be irrelevant. Pretty hard to discuss the parallel because it is a big philosophical argument here.

Mr. ARENS. Do you feel the Communist operation in the United States today now is a vile force?

Mr. ALEXANDER. The Communist operation in America now an evil force?

Mr. ARENS. Yes, sir.

Mr. ALEXANDER. Well, hardly. I think the Communist operation now is an impotent force, a sterile force, and in my own opinion that if it were not given all the publicity that it is given by committees like this one and a few others, that within a few months the Communist Party would be reduced to the same type of sterile impotency as the Social-Labor Party, the IWW have, and they would cease to be any factor at all in America.

Mr. ARENS. Are you cognizant of the fact that the best brains and best intelligence sources in the Government of the United States undercover agencies serving in the Communist Party, indeed people who testified in these very hearings, as well as undercover agents who have been giving information to this committee, unanimously without a sense of dissent profess that the Communist operation in the United States today now is a more serious, more deadly fifth column on American soil than ever before in the history of this Nation?

Mr. ALEXANDER. I am conscious of this fact. However, being an American citizen brought up on the Bill of Rights, I have long ago decided that when it comes to questions of making up my own mind, the realm of philosophy, politics, and moral ideas, as an American and while I can read what Government experts or anybody else say, my duty is to study these problems as carefully as I can from objective sources and come to my own conclusions. In the realm of philosophy, politics, I hardly consider police agents and people of that sort as experts. I would much rather go back to the original sources of Marx, Engels, Lenin, make objective decisions for myself, whether I am for or against them. People in Nazi Germany fell into the habit of letting their minds be made up for them by the official decisions of their government. I think it has been the whole spirit of our coun-

try that you should listen to what experts in your government say but read the stuff yourself and make up your own mind for yourself and that is what I tried to do.

Mr. ARENS. Have you made a study, then, of the operations out of the consulates and embassies of this Government of espionage agents in the pay and under the discipline of the Communist conspiracy?

Mr. ALEXANDER. I have no expert information. I read the newspapers like anybody else.

Mr. ARENS. Have you made a study of the current Communist political subversion campaign?

Mr. ALEXANDER. No; I have no expert information. For the last year and a half I have been quite disinterested in politics.

Mr. ARENS. Have you made a study of any Communist colonization program, whereby they are now sending into heavy industry, people who have been trained in training schools of revolution who efface all identities of themselves for the purpose of colonizing in heavy industry? Have you made a study of that?

Mr. ALEXANDER. I have no expert information. I read what was reported in newspapers of this committee. But for the last year, a year and a half I have become much more disinterested in politics than I used to be. I have occupied myself in the field of literature and I expend most of my time writing a book so I have no expert knowledge on this.

Mr. WILLIS. Let me ask you this question, and I am not going to debate or characterize it, either way, for the information of this committee. You are aware of the fact that they use colonization without putting any interpretation on it. You are aware of that, aren't you?

Mr. ALEXANDER. Yes; I am aware of it.

Mr. WILLIS. In fact, let me ask you this, very frankly. I meant to ask you it a while ago; I am going to ask you now. With your educational background that you related, and your knowledge of theoretical communism, everything else, did you consider yourself in later years engaged in the type of work that you performed—you said you studied to be a machinist—is that something of a definition of colonization, isn't that about the type they use? If you were not one, isn't that about the thing they use, in all honesty?

Mr. ALEXANDER. No. In all honesty I could not have been colonized in 1949 when I became a machinist, because I had just been expelled from the Communist Party. The Communists had orders not even to associate with me, but I will answer about colonization as I knew it when I was a leader of the party.

Yes, certainly, a Communist urged members to go to work in important factories and things of that sort, they could persuade them to do so and the reasons for it were quite simple and obvious. There was a big unionization drive going on in this country at that time and the Communist Party was, I think it is now, judged to be true by all labor historians, the Communists played quite a big role in organizing the CIO in the beginning, although they were kicked out, and Communists made every attempt to get their members to go to work in big factories where organizations were ahead, when organizers were needed, and so on.

Mr. WILLIS. And place them in posts of leadership, and so on.

Mr. ALEXANDER. Not necessarily.

Mr. WILLIS. I think that is the essence of what we have been—

Mr. ALEXANDER. I think in all honesty the Communists are quite willing to say, "Let the weight of the chemicals fall according to their weight." If the workers would elect somebody who happened to be a Communist to an office, fine; if they wouldn't elect them, that guy wasn't doing a very good job.

Mr. WILLIS. Proceed, Counsel.

Mr. ARENS. Did you teach in your training school force and violence as a means to obtain the objectives of communism?

Mr. ALEXANDER. No.

Mr. ARENS. Does the Communist Party?

Mr. ALEXANDER. Not in America.

Mr. ARENS. Does the Communist Party stand for the overthrow of the Government of the United States by force and violence?

Mr. ALEXANDER. I don't know what the Communist Party stands for now, sir.

Mr. ARENS. Now don't equivocate with me. Did the Communist Party stand for it?

Mr. ALEXANDER. When I was a member?

Mr. ARENS. Yes, sir.

Mr. ALEXANDER. Did it stand for overthrow of the Government by force and violence?

Mr. ARENS. Yes.

Mr. ALEXANDER. No.

Mr. ARENS. Then were the 11 Communist traitors down in Foley Square convicted erroneously for advocating the overthrow of the Government of the United States by force and violence?

(The witness conferred with his counsel.)

Mr. ALEXANDER. I am sorry, sir; I don't have any legal qualifications to give an answer to that question, not a lawyer.

Mr. ARENS. You said you spoke, you taught Marxism and Leninism.

Mr. ALEXANDER. That is right.

Mr. ARENS. Lenin advocated, did he not, that in essence we must use deceit, lies, anything that will further our cause? Isn't that the essence of the technique used by Lenin and advocated by Lenin?

Mr. ALEXANDER. Well, this is one of the reasons why I resigned from the Communist Party, because writing—

Mr. ARENS. When were you taught that?

Mr. ALEXANDER. May I continue to answer that question when I am finished?

Mr. ARENS. Go ahead.

Mr. ALEXANDER. That the writing of Lenin, Lenin having been a Russian and living in Russia most of his life, were not applicable to an open democratic system such as we had in the United States. When Lenin wrote about deceit and lies and all that sort of thing, he was talking about an underground revolution, antimonarchist movement in a Czarist country, Russia. When I was in the United States Army, I know of people who employed deceit, lies, all that sort of thing, to an incredible extent, the OSS. Our American and British underground agents in occupied countries, and certainly we, when you are fighting—

Mr. ARENS. Would you kindly answer this question? It is not responsive at all to the question. You are giving a recitation.

Mr. WILLIS. I think you have given an adequate explanation.

Mr. ARENS. Now, sir, when you taught Marxism and Leninism in this leadership training school of the Communist Party, did you teach Marxism and Leninism absent, minus, without encompassing in your instructions the deceit, the lies, and the treachery that Lenin taught and advocated and wrote?

Mr. ALEXANDER. I never advocated deceit, lies, treachery. When I began to feel that the Communist Party was engaging in that sort of thing I left it.

Mr. ARENS. You taught in Marxism, Leninism out in Seattle back in the early 1940's, didn't you?

Mr. ALEXANDER. That is right.

Mr. ARENS. At that time you knew from Lenin that he taught deceit, lies, and the like, did you not?

Mr. ALEXANDER. I taught that the—

Mr. ARENS. Answer my question. Don't equivocate with me. When you taught—

Mr. ALEXANDER. What is the question, please?

Mr. ARENS. When you taught Marxism and Leninism in Seattle in the leadership training school of the Communists, did you then know that Lenin's techniques, his advocacy, his teachings encompassed and embraced lying and deceit and misrepresentation as part of the technique of communism?

Mr. ALEXANDER. I knew that to be true when operating, when Communists were working in an underground, illegal organization devoted to the overthrow of the Russian czar and that is the only way anybody has ever accomplished anything against a complete dictatorship. That is why I am so much in favor of maintaining democracy and the Bill of Rights in the United States so that I hope it will never have to have any movements that resort to lies and deceit here. People only do that when they have a complete dictatorship as our underground agents had to do.

Mr. ARENS. Did you, as of the time that you were teaching in the Lenin school, have this revulsion toward Lenin's teachings of force and violence and of deceit and treachery?

Mr. ALEXANDER. I never taught in the Lenin school, sir.

Mr. ARENS. I say when you taught in the training school.

Mr. ALEXANDER. Did I have a revulsion against lies, deceit, violence?

Mr. ARENS. Against Lenin teaching of lying, deceit, and treachery.

Mr. ALEXANDER. Yes. I had a revulsion against them. I am sure that most men in the OSS had a revulsion against the methods they had to use. They certainly would have preferred to use the kind of methods that we can use in political life in the United States under our Bill of Rights but revulsion or no revulsion they were operating in an occupied country against Hitler. They had to use them.

Mr. WILLIS. Wait a second.

Mr. JOHANSEN. Mr. Chairman.

Mr. ARENS. Do you—

Mr. WILLIS. Wait a minute.

Mr. JOHANSEN. As I understand you to testify you said that one of the reasons that you left the party was because of, and was timed to your discovery of, the advocacy and use of deceit and treachery and the advocacy of force and violence.

Mr. WILLIS. Is that right?

Mr. JOHANSEN. Is that correct?

Mr. ALEXANDER. Yes.

Mr. JOHANSEN. Was it the fact that it was used in Russia that prompted you to develop that revulsion or was it the fact that it was practiced, preached, and practiced in the United States which caused that?

Mr. ALEXANDER. Well, the use of it in Russia certainly forcibly brought it to my attention and I don't think it was used exactly in that way in the United States because the Communist Party never had government power in the United States like they had in Russia. But I certainly began to consider, for example, that my own expulsion from the Communist Party in 1948 was a rather inhuman and dishonest thing to do. I think the people who expelled me from the Communist Party knew quite well that I was not a FBI agent or a FBI accomplice and yet they called me that in order to expel me because I was a critic of theirs. I think this was dishonesty and deceit on their part, yes. But I don't think the Communist Party in the United States ever practiced it on any grand scale like they did in Russia, to the extent of having people killed and so on. They were never in power. It is an altogether different situation. I don't think the Communist Party, the Communist Party is made up of human beings, and no matter where you go, in what walk of life the people are rather queer ducks, with a great number of brothers—ambitions and deceit, and all that sort of thing.

Mr. WILLIS. Of course, what we are interested in is information with regard to current operations and techniques of the Communist conspiracy in America.

Mr. ALEXANDER. Yes, sir.

Mr. WILLIS. As I understand, you will not reveal names of people with whom you were associated or go into those details today; is that correct?

Mr. ALEXANDER. Not today, or I am afraid at any time, sir, at least I hope not at any time. I hope I will never bring injury to innocent people. I don't think I ever will.

Mr. WILLIS. In doing so, I want to get the record perfectly straight for all purposes, and I hope your counsel will listen, in taking that position I do not recall that you have invoked any specific constitutional provision. You do it on the basis of conscience; is that correct?

(The witness conferred with his counsel.)

Mr. ALEXANDER. I am declining to answer this type of question, sir, on the grounds of conscience, and on the advice of my attorneys, also on all constitutional grounds which might pertain to it, except that portion of the fifth amendment which speaks of protection against self-incrimination.

Mr. WILLIS. You do not invoke?

Mr. ALEXANDER. I do not invoke that section of the fifth amendment which offers immunity against self-incrimination. That is the only one I do not.

Mr. ARENS. Mr. Chairman, I will make this record absolutely clear because I expect to propound a very important question on this specific issue, and I invite your attention to the explanation that I want to make now of pertinency.

This subcommittee of the Committee on Un-American Activities is here in Chicago to develop factual information which will be of assistance to it in appraising the adequacy of our existing security laws and their administration, also for the purpose of accumulating information which might be of use to it in devising amendments to existing security laws to cope with the ever-changing tactics and strategy of the Communist Party. It is obvious, sir, from your testimony here, and I will say I have all kinds of exhibits I was going to display to you respecting your own Communist Party activities, information and knowledge and techniques—it is obvious, sir, that you have a fund of knowledge of current Communist Party techniques and activities in the greater Chicago area. I say by current up to and including 1956. In order for us to determine—

Mr. WILLIS. 1956 according to his testimony.

Mr. ARENS. According to his own testimony.

According to your own testimony up until 1956. Now, it is obvious that before this committee could summon persons before it, in order to solicit from them information respecting Communist Party techniques, activities and the like, we must know the identity of those persons. I therefore now am going to ask you in a moment to give this committee the names of persons who to your certain knowledge—I don't want any innocent people that you talked about—only those persons who, to your certain knowledge in 1956, were members of the Communist Party, in the greater Chicago area, so that this committee can with that information either confirm partially or in toto, other bits of information respecting those persons and their activities or summon those persons before this committee to get additional information, all for our legislative purposes of appraising the adequacy of existing legislation and its administration or to devise amendments to existing laws.

Now, sir, with that explanation, I now ask you while you are under oath to name before this committee now the names of persons who, to your certain knowledge, were in 1956 members of the Communist Party and active as Communists in the greater Chicago area.

(The witness conferred with his counsel.)

Mr. ALEXANDER. Mr. Chairman—

Mr. ARENS. Sir, so there will be no misunderstanding on this record, after I had just made this explanation and posed this question, you have been in consultation now with two of your lawyers; is that correct?

Mr. ALEXANDER. Correct.

Mr. ARENS. Who are appearing here with you today.

Now, would you kindly respond to the question.

Mr. ALEXANDER. Mr. Chairman, I would willingly stay here all day, all night, as long as the committee wants, to give them all information in my possession about Communist activities, Communist techniques up to 1956 when I had knowledge of these things. However, when it comes to identifying persons whom I knew as Communists up to 1956, I can't evade the point that I might cause those people to go through the same thing I have had to go through for the past few days, including possible loss of a job. Most people who were in the Communist Party at that time, as the committee well knows, have left the Communist Party, and are now opposed to it. The Communist Party, in your own words—pardon me, sir.

Mr. WILLIS. You see, permit me to interrupt you. I think I catch your point.

Mr. ALEXANDER. Certainly.

Mr. WILLIS. It is for the very statement you just made, that argument cannot possibly be accepted by us. You say as we well know, it is meaningless today. But, let us form a judgment on that by digging into and being informed as to the techniques and so on. So, do you not see it is inconsistent, very difficult and unpleasant a task to permit a witness, not necessarily you, any witness to talk about his activities in his own way, believing perhaps all that that witness is saying is true, but not giving us an opportunity to check upon the truth or falsity of the witness on the stand, being questioned. And then painting a picture his way and stopping short and not permitting us to form a judgment. I am implying nothing by what I have said as to the truth or falsity of your own statement. We are now discussing a very serious question of law, believe me, and I will have to order you to answer that question for that reason and let me say this, as I indicated, we appreciate your appearance, we appreciate your task, we appreciate the position you are in. On the other hand, here is our position: This committee has been formed many years ago. The talk about its lack of legislative purpose is not uncommon to us. We hear that all the time. We have to bear the brunt of criticism and all that goes with it. But from year to year we are directed to make a report to the Congress and we did that just last January on the work of last year, calendar year 1958. We were reconstituted and ordered to do this job. In the reformation of the committee through its financing, as far as I know out of 435 Congressmen, I don't think there—I really don't recall one vote against ordering us to continue our legislative purpose.

As to legislation, as the opening statement indicates, this committee has made recommendation after recommendation. Some of the most delicate and penetrating security laws for good or bad according to the judgment of various people have been passed and as a result of our work. The Smith Act, the Foreign Agents Registration Act, the Communist Control Act, as I say, for good or bad, Congress voted them. We are directed to appraise them from year to year. That is our job, which is unpleasant.

Now, when they talk about legislative purpose of this committee, let us see what it means, whether it is or is not the business of Congress to legislate upon this subject of communism.

It is a painful truth that within your and my lifetime this ideology has taken over perhaps one-fourth of the population of the earth, of the world and perhaps in physical land mass perhaps a third or more without firing a shot. We are in trouble today. We have to vote something like \$40 billion a year for national defense, national defense against whom and what? Who are the troublemakers? Who must we defend the taxpayers against, have to bleed through the nose? The Communists, of course.

Now, anyone can, with a serious face, take an oath before this committee and say, "Well, Congress is powerless to inquire into these things, the resolution is too vague for us to talk about it." I make this lengthy statement to try to impress upon you that in ordering you to answer that question I am forced to. You go half way—your way—

without giving us an opportunity to recheck, to check, on what you say. Then we are led into this blind alley and then you have this warning. The committee appreciates the extent to which you have gone but with this explanation, I will order you to answer the question, unless, of course, you wish to take advantage of the invocation of the constitutional grounds, then it ends the matter. You have a perfect right to do it.

(The witness conferred with his counsel.)

Mr. ALEXANDER. May I consult with counsel on this? It is obviously a serious matter.

(The witness conferred with his counsel.)

Mr. ARENS. Mr. Witness, so I just pose a question to you, and your counsel might well listen because we want this record to be absolutely clear.

Mr. ALEXANDER. There is a question pending.

Mr. ARENS. I want this to go on the record now.

Do you understand, Mr. Witness, that your declination is not accepted by the committee and that the chairman of this subcommittee has ordered and directed you to answer the outstanding principal question? Do you understand that?

Mr. MARKS. Yes.

Mr. ALEXANDER. I understand.

Mr. WILLIS. I am required to make that order under the decisions of the Supreme Court.

Mr. ALEXANDER. I understand that. I think you have been respectful of my sincerity and I am certainly respectful of yours, sir.

(The witness conferred with his counsel.)

Mr. ALEXANDER. Mr. Chairman, I respectfully must decline to answer on the grounds of conscience. In doing so I invoke all constitutional grounds for refusing to do so, including, but not limited to, the first amendment and the due process clause of the fifth amendment relating to scope of this inquiry and the power of the committee and the pertinence of the questions. There is only one constitutional ground that I am not invoking and that is the privilege against self-incrimination.

Mr. ARENS. Now, sir, just so the record can be so clear it will be ludicrous to say it is not clear, you have just conferred with your two counsel, have you not, before you gave that response?

(The witness conferred with his counsel.)

Mr. ALEXANDER. Yes, certainly.

Mr. ARENS. And you have set forth the grounds for your refusal after your consultation with them, indeed, I believe you have read it after you have prepared the exact answer, is that correct?

(The witness conferred with his counsel.)

Mr. ALEXANDER. I decline to answer that question. I think it is irrelevant. The matter of the lawyer-client privilege is involved.

Mr. ARENS. All right. You still understand, now, do you not, that the committee as of this instant is continuing to insist upon the information, it is not accepting your declination? Do you understand that?

(The witness conferred with his counsel.)

Mr. ALEXANDER. I understand that and I hope that I will stand by my position for the rest of my life.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. WILLIS. The witness is excused.

The committee will take an informal recess of 5 minutes.

(Committee members present: Representatives Willis and Johansen.)

(Brief recess.)

(Committee members present: Representatives Willis and Johansen.)

Mr. WILLIS. The subcommittee will please come to order.

Counsel, please call your next witness.

Mr. ARENS. The next witness, if you please, sir, will be Mr. Bernard Angert.

Please come forward and remain standing while the chairman administers an oath.

Mr. WILLIS. Please raise your right hand.

Mr. MEYERS. Mr. Chairman, my client objects to the taking of photographs here.

Mr. WILLIS. You are not under our jurisdiction until you have taken the oath.

Do you solemnly swear—please raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ANGERT. I do.

Mr. WILLIS. Now, if you invoke the rule, no photographs.

Mr. MEYERS. Would you be good enough to ask that man to take the plate?

Mr. WILLIS. No. That was before he was administered the oath. I have no—

Mr. MEYERS. You know I made an attempt to stop it.

TESTIMONY OF BERNARD ANGERT, ACCOMPANIED BY COUNSEL, IRVING MEYERS

Mr. ARENS. Now, would you kindly identify yourself by name, residence, and occupation?

(The witness conferred with his counsel.)

Mr. ANGERT. I am Bernard Angert.

Mr. ARENS. Would you kindly keep your voice up a little bit. It is difficult to hear you.

Mr. ANGERT. Bernard Angert. I live at 934 Fowler, in Evanston. I am a moldmaker.

Mr. ARENS. You are appearing here today, Mr. Angert, in response to a subpoena which was served upon you by this committee?

Mr. ANGERT. That is correct.

Mr. ARENS. And you are represented by counsel?

Mr. ANGERT. By counsel.

Mr. ARENS. Counsel, would you kindly identify yourself on this record?

Mr. MEYERS. My name is Irving Meyers, Chicago, Ill.

At this time, Mr. Chairman, I addressed a telegram on April 30 to the chairman of your committee, Mr. Walter, and I would like to

know if I can have an answer to the request that I made there for an executive session. The reason I made that request was to prevent my client from suffering from public scorn and stigma that was denounced in the Watkins case and to preserve his whole interest and to prevent him from feeling the injury that attaches to anybody that appears at this hearing in open—

Mr. ARENS. Now, would you kindly tell us where and when you were born?

Mr. MEYERS. Mr. Chairman, may I have an answer?

Mr. ARENS. No. Counsel understands the rules of the committee, a copy of which I see before you. Your sole and exclusive prerogative is to advise your client.

Now, kindly tell us where and when you were born.

Mr. MEYERS. You do not see a copy of the rule. You see a copy of the DAR manual for citizenship.

Mr. ARENS. It looked like the rules, same color.

Mr. MEYERS. I might add you didn't furnish us with a copy of the rules and I request one.

Mr. ARENS. I will kindly advise you now, sir, your sole and exclusive prerogative, as the chairman said in his opening statement yesterday, is to advise your client. Kindly tell us where and when you were born.

Mr. ANGERT. Mr. Chairman, I would like to request, as a matter of record as I did request this as of my counsel, this telegram be read into the record. I would like to read it, if I may.

Mr. ARENS. Would you kindly answer the question where and when you were born?

Mr. WILLIS. You may hand it to counsel.

Mr. ARENS. We will be glad to receive anything you want to tender there.

(The witness conferred with his counsel.)

Mr. ANGERT. One moment, please.

Mr. ARENS. Now, would you kindly tell us where—

Mr. ANGERT. Just a moment. I would like to make this request again of the chairman. This telegram was sent some time ago, a week ago, and this request was made most sincerely and I want this as a matter of record, please, and now I feel that in the situation as outlined by my counsel, that any service I can do this committee I can do then equally well in executive session without the stigma of publicity attached.

Mr. ARENS. We don't want to be accused any more of star-chamber procedures.

Now, would you kindly tell us where and when you were born?

Mr. ANGERT. I made the request of the chairman.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness now be ordered and directed to answer the question where and when he was born.

Mr. WILLIS. The telegram is received and you may proceed.

Mr. ARENS. Will you kindly answer the question?

Mr. ANGERT. What is your question?

Mr. ARENS. Where and when were you born?

Mr. ANGERT. I was born October 19, 1919, in Chicago, Ill.

Mr. ARENS. Give us a word, please, sir, respecting your formal education.

Mr. ANGERT. As I can remember it, I graduated from high school here in Chicago, and I attended Central YMCA College, the city colleges, and the University of Illinois, over a 4- or 5-year period, not continuous attendance, I did not graduate and there may have been other things as well.

Mr. ARENS. Did that complete your formal education?

Mr. ANGERT. No; that did not complete my formal education. I don't know. Formally, yes. I also attended trade schools and took courses in keeping with information as regards my trade as a mold-maker. I took courses in machine-shop practice, courses in mechanical drafting, engineering drawings, and things of that kind.

Mr. ARENS. When did you complete your formal education in the school that you told us about a moment ago, please, sir?

Mr. ANGERT. I would say that in the sense that I answered it previously I would say it was 1940, 1941, although I might point out that I have taken courses after I got out of the Army as well, very recently, again in courses related to my trade.

Mr. ARENS. Now, give us, if you please, sir, just the principal employments which you have had since you completed your formal education.

(The witness conferred with his counsel.)

Mr. ANGERT. I worked after finishing my education as you point out, I went to work in a machine shop; left for the services and then I—

Mr. ARENS. Where did you serve in the armed services? Could you help us on that, please, sir?

Mr. ANGERT. Certainly. Trained in this country and I served overseas in Italy.

Mr. ARENS. When were you discharged?

Mr. ANGERT. End of 1945.

Mr. ARENS. Did you have a commission?

Mr. ANGERT. No.

Mr. ARENS. All right, sir. Beginning about 1945 when you were discharged would you kindly give us just your principal employments?

Mr. ANGERT. I can tell you then again because of the type of work that I do and the fact that it is common practice for moldmakers, special type of tool and diemaking, to jump from shop to shop, you cannot pin me on exact dates because I could not possibly remember.

Mr. ARENS. We don't want to do that. Just your best judgment.

Mr. ANGERT. All right. Immediately after getting out of the armed services I worked for United Electrical, Radio & Machine Workers of America.

Mr. ARENS. In what capacity?

Mr. ANGERT. As a field representative of a local union, and I worked for them between a year and a half and 2 years.

Mr. ARENS. All right, sir. And then your next principal employment?

Mr. ANGERT. And then I went into a machine shop and I have worked in a number, I would say a dozen in rounding out the figure, small machine shops or jobbing shops of that kind.

Mr. ARENS. Have you been active in IAM?

(The witness conferred with his counsel.)

Mr. ANGERT. What do you mean by IAM?

Mr. ARENS. International Association of Machinists.

(The witness conferred with his counsel.)

Mr. ANGERT. I would like to know what the pertinency of my membership in that union is to this committee and its purpose.

Mr. ARENS. I will then hold that question for just a few minutes. Are you now or have you ever been a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. ANGERT. I decline to answer that question, Mr. Counsel.

Mr. ARENS. Why?

(The witness conferred with his counsel.)

Mr. ANGERT. For the reasons that I will enumerate, if I may.

Mr. ARENS. I didn't hear you, sir.

Mr. WILLIS. For the reasons he will enumerate.

(The witness conferred with his counsel.)

Mr. ANGERT. I decline to answer the question because I believe it is for violating the first amendment, which insures me the right of freedom of association.

Mr. ARENS. You are reading now from a prepared statement, is that correct?

Mr. ANGERT. I am reading now, Mr. Counsel, from a statement that I prepared with my attorney because I am a layman and I wanted to make very sure that there would be no question in the mind of this committee exactly what my position is. It is not a lengthy statement; it is a simple position. I want to be heard on it.

Mr. ARENS. Go ahead. I want to be clear.

Mr. ANGERT. I am doing now. I would like to read, if I may. I believe you are violating the first amendment, which insures to me the right of freedom of association and belief in assembly and right of privacy. Further, I don't believe that you are authorized to make the inquiry you are making for the reason that your powers are vague and indefinite and have no legitimate relationship to legislative purposes. Further, I don't fully understand or know the purposes of this hearing.

Further, whatever your purpose may be I do not think the question is pertinent to those sole purposes. And further, I wish to assert the fifth amendment for the reason publicity attached to these hearings have made me reprehensive.

I therefore feel the answer to certain questions here such as the one you proposed may be a link in a chain of testimony that may subject me to criminal prosecution and the answer to the question propounded may tend to incriminate me.

For these reasons and for others I would like to decline to answer the previous question.

Mr. ARENS. Sir, are you now, this very moment, a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. ANGERT. I decline to answer, Mr. Counsel, the same reasons just previously given.

Mr. ARENS. Would you kindly tell us whether or not you are engaged in Communist Party work in the International Association of Machinists as a colonizer or as an agent of the Communist Party in any capacity?

(The witness conferred with his counsel.)

Mr. ARENS. Mr. Chairman, so there may be no misconstruction to this particular question, I should like to make an observation on the record that through the years, over a generation's experience in this work on congressional committees, in fighting communism, it has been my personal observation that the International Association of Machinists is one of the strongest anti-Communist organizations in the Nation, and the fact that I have just posed the question should not in any sense be used as any reflection upon the very splendid program of that organization to rid itself of Communists and to keep Communists out of it.

(The witness conferred with his counsel.)

Mr. ANGERT. I would appreciate, Mr. Counsel, if you would repeat your question.

Mr. ARENS. I must confess at this late hour of the day, the tiring work we are doing here, I have forgotten the specifics of the question.

Mr. WILLIS. Are you now engaged—

Mr. ARENS. Oh, yes. Are you now engaged in Communist Party activities as a Communist in the International Association of Machinists?

(The witness conferred with his counsel.)

Mr. ANGERT. This is not the question you posed, Counsel. As I remember it wasn't even vaguely that way. In this instance I wish to take the same position I took previously.

Mr. ARENS. Are you connected with the International Association of Machinists in any capacity?

(The witness conferred with his counsel.)

Mr. ANGERT. I think you are invading—I think I made this clear—you are invading an area which is a question of interference and I don't think you have authority to do that. If you want to ask me specific questions, ask them.

Mr. ARENS. Will you kindly answer the question outstanding.

Mr. ANGERT. What is your specific question?

Mr. ARENS. Are you connected in any capacity with the International Association of Machinists?

(The witness conferred with his counsel.)

Mr. ANGERT. I am a member.

Mr. ARENS. How long have you been a member?

Mr. ANGERT. For 11 years, a little over.

Mr. ARENS. Have you held any office in the International Association of Machinists?

Mr. ANGERT. No office in the International Association of Machinists.

Mr. ARENS. Have you ever attended Communist Party training schools?

(The witness conferred with his counsel.)

Mr. ANGERT. I decline to answer that question and any similar questions you may have for the reasons I have already given.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. WILLIS. The witness is excused.

The committee will stand in recess until tomorrow morning at 10 o'clock.

(Committee members present: Representatives Willis and Johansen.)

(Whereupon, at 4:32 p.m., Wednesday, May 6, the subcommittee adjourned to reconvene at 10 a.m., Thursday, May 7, 1959.)

COMMUNIST INFILTRATION OF VITAL INDUSTRIES AND CURRENT COMMUNIST TECHNIQUES IN THE CHICAGO, ILL., AREA

THURSDAY, MAY 7, 1959

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Chicago, Ill.

PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10:04 a.m., in courtroom 209, U.S. Courthouse, 219 South Clark Street, Chicago, Ill., Hon. Edwin E. Willis (subcommittee chairman) presiding.

Subcommittee members present: Representatives Edwin E. Willis, of Louisiana (presiding) and August E. Johansen, of Michigan.

Staff members present: Richard Arens, staff director, and Raymond T. Collins, investigator.

Mr. WILLIS. The subcommittee will please come to order.

(Subcommittee members present: Representatives Willis and Johansen.)

Mr. WILLIS. Counsel will call the first witness.

Mr. ARENS. Joseph Poskonka, kindly come forward. Remain standing while the chairman administers an oath.

Mr. WILLIS. Please raise your right hand. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. POSKONKA. Yes, sir, I do.

TESTIMONY OF JOSEPH A. POSKONKA

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. POSKONKA. My name is Joseph A. Poskonka. I reside at 5019 South Loomis, Chicago, Ill. Occupation at present, unemployed.

Mr. ARENS. Mr. Poskonka, are you right now in the Communist operation?

Mr. POSKONKA. Yes, up to the present minute I have been a functionary.

Mr. ARENS. Mr. Poskonka, have you in addition to participating as a functionary in the Communist operation been a part and a member of that formal entity known as the Communist Party?

Mr. POSKONKA. Yes, sir.

Mr. ARENS. When did you join the Communist Party?

Mr. POSKONKA. It was in 1943 at the time when our Nation was involved in the campaign of returning back to the Philippine Islands, when we first attacked Guadalcanal.

Mr. ARENS. Mr. Poskonka, have you ever been in sympathy with the Communist Party, ideologically with the Communist Party?

Mr. POSKONKA. No, sir. At no time did I ever believe in Communist Party principles or today or will ever. That is nothing but a threat worse than a rattlesnake.

Mr. ARENS. All of your service in the Communist operation, up to and including this very instant has been as a person who went into the Communist movement at the behest and with the cooperation of the Federal Bureau of Investigation for the purpose of supplying information to your Government, is that not correct?

Mr. POSKONKA. That is right.

Mr. ARENS. I expect to interrogate you on several items in the course of your testimony this morning, but I should like at the outset to ask you first of all, based upon your background and experience since 1943 until this instant in the Communist operation and your participation in the Communist Party as a formal entity, to tell this committee now, while you are under oath, how serious is the Communist movement, the Communist operation in the United States this instant.

Mr. POSKONKA. It is very, very serious.

Mr. ARENS. Why?

Mr. POSKONKA. Because of being undercover. They are using the scheme which instead of using openly the Communist Party, they are using front organizations and labor, and people think they are strictly a decent organization, fighting for labor. And at the same time today what they are trying to do is demoralize everybody and if anybody doesn't go along with their program they denounce them as a traitor and union-buster and everything under the sun, and also their aim is to demoralize not only the entire membership, but morally the entire public organization in the case of strike. They can cut out food entirely from the entire public of the United States as well as everybody else and then cut out of the Army food and supplies which is most necessary in order to win the war.

Mr. ARENS. Mr. Poskonka, may I inquire what distinction do you make between the Communist Party and the Communist operation?

Mr. POSKONKA. The Communist Party is an organization which gives directly the rulings and as far as the definition is concerned the people are functionaries.

Mr. ARENS. Now, Mr. Poskonka, may I pursue with you just a little bit some of the highlights of your career in the Communist operation? Where and when did you join the formal entity known as the Communist Party?

Mr. POSKONKA. Upon entering the Federal Bureau of Investigation, when I heard a teacher from the Abraham Lincoln School, which happened to be attending a class or teaching a class speaking on the subject of the Guadalcanal invasion. At that time I couldn't digest it because they said the invasion the United States had been making and return to the Philippines was all in vain.

In other words, the blood that was shed by our Armed Forces at Guadalcanal or any other front was in vain altogether. At the same time my kid was in there as well. But I am not only speaking for my kid but the entire Armed Forces or anybody who served in the Armed Forces of the United States.

Mr. ARENS. Mr. Poskonka, could you just tell us the date?

Mr. POSKONKA. As far as the date exactly, it was in the month of May. But when I called in to the Bureau and they sent two men and asked me if I would voluntarily serve the United States, and I said I sure would do anything to help the United States.

Mr. ARENS. Mr. Poskonka, may I suggest from the standpoint of the committee being able to interpret your comments, if you would speak just a little slower, please, sir.

Mr. POSKONKA. OK.

Mr. ARENS. Mr. Poskonka, where did you join the formal entity known as the Communist Party?

Mr. POSKONKA. I was signed up at 4758 Marshfield Street, which was the headquarters of District No. 1 of the United Packinghouse Workers of America.

Mr. ARENS. How long did you serve that entity?

Mr. POSKONKA. Just a moment. Let me explain I was signed into the branch—24th Chicago ward. From there I was transferred to Back-of-the-Yards Club which served the entire southwest section of the city of Chicago.

Mr. ARENS. Then what was your next unit to which you were assigned?

Mr. POSKONKA. From that—that unit was broken up into the Packinghouse Section from the Communist Party—also the Joseph Hill Club, which served the Campbell Soup Co. I remained in the Packinghouse Section because of being employed by the packinghouse.

Mr. ARENS. How long did you remain in the Packinghouse Section?

Mr. POSKONKA. Until 1948, as long as it had been in force.

Mr. ARENS. From 1948 on you continued as a functionary of the Communist operation, disassociated from the formal entity known as the Communist Party?

Mr. POSKONKA. Correct. That is right.

Mr. ARENS. Tell us just a word, just the identification of the Communist front groups that you served in as a functionary of the Communist operation.

Mr. POSKONKA. Well, there were quite a few.

Mr. ARENS. Just name the principal ones, please.

Mr. POSKONKA. The Midwest Committee for Protection of Foreign Born was one. I happened to be treasurer.

Mr. ARENS. Was it controlled by the Communist operation?

Mr. POSKONKA. That is right, strictly Communist. They did not protect anybody else at any time but the Communists.

Mr. ARENS. Your next assignment, please?

Mr. POSKONKA. Next, Civil Rights Congress.

Mr. ARENS. What post did you hold in the Civil Rights Congress?

Mr. POSKONKA. Member of the Illinois executive board of the Civil Rights Congress.

Mr. ARENS. The next one, please?

Mr. POSKONKA. Then at that time was also Slav Congress.

Mr. ARENS. The American Slav Congress?

Mr. POSKONKA. That is right.

Mr. ARENS. What post did you hold there?

Mr. POSKONKA. National vice president.

Mr. ARENS. Was that controlled by the operation?

Mr. POSKONKA. Yes, sir. It was also controlled by the Communists.

Mr. ARENS. Your next operation?

Mr. POSKONKA. There were National Negro Labor Council and—

Mr. ARENS. Was that controlled by the Communist operation?

Mr. POSKONKA. That is right, strictly Communist.

Mr. ARENS. All right, sir.

Mr. POSKONKA. The one following I just mentioned was the NAACP. That was not dominated yet, but well infiltrated.

Mr. ARENS. Mr. Poskonka, may I inquire on the basis of your service in the Communist operation up to and including the present instant, and your particular service in the packinghouse segment of the Communist operation, how serious is the penetration by Communists of the packinghouse industry in the greater Chicago area?

Mr. POSKONKA. It is very serious because they are dominating and any decent person of any kind that might be a decent American citizen that would want to represent labor as a decent leader or decent citizen, if he is not a member of the Communists or in sympathy he could not be elected to office because he would be slammed as a union boss or racketeer of some kind.

Mr. ARENS. During all of your service in the Communist operation you have been reporting regularly to the Federal Bureau of Investigation?

Mr. POSKONKA. Right.

Mr. ARENS. Now, Mr. Poskonka, kindly tell this committee whether or not during your service in the Communist Party, as distinct now from the operations as such, did you know as a Communist a man by the name of Charles Hayes?

Mr. POSKONKA. Yes, sir.

Mr. ARENS. Give us just a word about him, please, sir.

Mr. POSKONKA. Charles Hayes happened to be one of the very persons—when the Packinghouse Section happened to be formed he was one of the first secretaries of the Packinghouse Section and he served in the Communist Party ever since.

Mr. ARENS. Did you know as a Communist a man by the name of Sam Parks?

Mr. POSKONKA. Yes, sir.

Mr. ARENS. Just a word about him, please, sir?

Mr. POSKONKA. He also worked on the same basis. He was also one of the representatives.

Mr. ARENS. Mr. Poskonka, may I interrupt you? It is obvious to me and it must be to the committee that you are a little tense today, and I don't condemn you for it at all because it was a tense life you led in the Communist operation at the behest of your Government. I wonder if in your presentation here, if you could slow down a little bit.

Did you know as a Communist a person by the name of Leon Beverly?

Mr. POSKONKA. Yes, sir, also.

Mr. ARENS. Just a word about Leon Beverly, please?

Mr. POSKONKA. He also was one of the leaders of this Communist Party in section of Armour & Co. branch.

Mr. ARENS. Did you know as a Communist a person by the name of Jesse Prosten, P-r-o-s-t-e-n?

Mr. POSKONKA. Yes. He belonged to the Back-of-the-Yards Club and then also was transferred into the Packinghouse Section.

Mr. ARENS. To your certain knowledge was Jesse Prosten a member of the Communist Party?

Mr. POSKONKA. Yes, sir; he was a member and a cardholder at the same time.

Mr. ARENS. What was his status within the packinghouse operation of the Communist Party?

Mr. POSKONKA. He was a top ax. Anybody that didn't meet his approval, nobody could get a job or even serve on any committee or serve the union.

Mr. ARENS. What union?

Mr. POSKONKA. Packinghouse union.

Mr. ARENS. You mean the United Packinghouse Workers?

Mr. POSKONKA. That is right. I am referring to the United Packinghouse Workers.

Mr. ARENS. Did you know as a Communist a person by the name of Jack Souther?

Mr. POSKONKA. Yes, sir; he served as the treasurer to the Packinghouse Section.

Mr. ARENS. Did you know as a Communist a person by the name of Leslie Orear?

Mr. POSKONKA. Yes, sir. From the very beginning he also was a member of the Back-of-the-Yards Club.

Mr. ARENS. Did you know as a Communist a person by the name of Joe Zabritski?

Mr. POSKONKA. Yes, sir. He was a treasurer, the very first treasurer of the Packinghouse Section, Communist Party.

Mr. ARENS. Did you know as a Communist a person by the name of John Lewis?

Mr. POSKONKA. John Lewis happened to be a schoolmate. We were attending the Communist Party Workers School in August of 1945. He attended the school along with me, the class.

Mr. ARENS. Mr. Poskonka, you have been interrogated extensively, both formally and informally in private sessions by this committee, have you not?

Mr. POSKONKA. I sure have.

Mr. ARENS. I do not want at this time, if the chairman please, to go into matters that would either duplicate information that has been presented to this committee by other witnesses or matters which are not germane to the immediate subject of inquiry.

Therefore, I have only a few more questions to pose to you.

Based upon your background and experience in the Communist operation, do you have information respecting the dissemination into

other areas of Communist agents who will be following the meat packing decentralization program into other States?

Mr. POSKONKA. Yes. As far as I know from the time, teaching in our class, they were to cover all food industry or anything that is allied, any concerns, regardless, not only Chicago but any part of the country.

Mr. ARENS. It is our information, and we are not by any means experts, or even amateurs, on the meatpacking industry, but that there are, in addition to the meatpacking operations in the greater Chicago area, smaller operations in the adjoining States. Are you cognizant of that?

Mr. POSKONKA. That is right.

Mr. ARENS. Has the nest of Communist agents in the greater Chicago area in the meatpacking industry undertaken to penetrate in the adjoining States?

Mr. POSKONKA. Their aim is to cover every part of the country, every industry that is allied with food.

Mr. ARENS. What areas, what States, what localities have been the targets of the operation from the Chicago center by the comrades?

Mr. POSKONKA. From Chicago, our Chicago district right now, before used to cover, Indiana, Illinois, and part of Wisconsin. Now it has been enlarged. So we are covering Ohio, Michigan, Illinois, Indiana, and I don't know, one other State. I don't know exactly what the district covers, all States. But anyway they are to cover all the States there are in District No. 1.

Mr. ARENS. Now have the comrades here in this centralized, focal point of Communist operation in the meat industry sent some of their membership as colonizers or as agents to these other localities?

Mr. POSKONKA. Yes, sir, they did. That is a part of their job.

Mr. ARENS. You have discussed that in detail in executive session with this committee?

Mr. POSKONKA. That is right.

Mr. ARENS. Have you received communications from the Communist operation since this committee has been in town on these hearings?

Mr. POSKONKA. Yes, I have. Do you want this or want me to read it or what?

Mr. ARENS. Just allude to them, please, sir. I don't want at this time to get into the extraneous matter beyond just the reference to the fact that you have been currently contacted by the conspiracy or the operation to do certain things.

Mr. POSKONKA. This is an invitation.

Mr. ARENS. Would you just tell us the various organizations controlled by the conspiracy which have been in communication with you in the course of the last few days?

Mr. POSKONKA. This is Midwest Committee for Protection of Foreign Born. They invited me to attend their conference that is going to take place May 12.

Mr. ARENS. Are there any other similar communications that have come to your attention in the last few days?

Mr. POSKONKA. There was another one. Just a minute. This is an open letter, religious piece, invites you to second public conversation. A meeting was taking place Thursday evening April 30, 1959.

Mr. ARENS. Have you received similar communications?

Mr. POSKONKA. That is it.

Mr. ARENS. These communications relate to the surface operations of the conspiracy, do they not?

Mr. POSKONKA. That is right.

Mr. ARENS. Have you over the course of the last few years been concentrating on behalf of the conspiracy in the surface work?

Mr. POSKONKA. Oh, yes, yes. That is what I was asked to do, and I go out and do a good job. Not only that but the most important part lately which is a long-range program is the farm labor unit covering various fairs, State fairs, county fairs, and so on, using propaganda to get the farmer and labor, in order to get them in one political party, the same as is taking place in Russia.

Mr. ARENS. I do not think there are other areas which are presently germane to the scope of inquiry which the committee has at this time. We want to thank you for the information which you have supplied to us, not only here, but principally in executive session and in consultation with the staff on a vast array of activities.

Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. WILLIS. May I ask a couple of questions?

Where were you born?

Mr. POSKONKA. Chicago, Ill.

Mr. WILLIS. Did I understand you to say you have a family?

Mr. POSKONKA. Yes. I have a family, wife and eight children.

Mr. WILLIS. How many children?

Mr. POSKONKA. Wife and eight children. Fifteen grandchildren.

Mr. WILLIS. And you have been reporting to the FBI regularly in connection with the work you have been doing?

Mr. POSKONKA. From 1943 on until last September of 1958.

Mr. WILLIS. I suppose the reports are not regular. There might be many reports at one time and fewer reports at other times.

Mr. POSKONKA. Correct, it depends on the amount of activity.

Mr. WILLIS. I want to say this to you, sir, that we have had experience with American citizens who were asked by the FBI to assist the Government in assembling facts and data and information concerning the machinations of the Communist conspiracy. I do not know whether you know it, but I suppose you do, you have been with that organization long enough that before they picked you out they thoroughly investigated you. If you are good enough for J. Edgar Hoover, you are good enough for me. And I want to express the thanks of the committee on our own behalf and on behalf of the Congress of the United States.

Mr. POSKONKA. May I say something? I would like to correct something. I mean not correct, but I want to add on, that I wish to thank the United States Government in the first place for giving me this chance. Also at the same time I wish to state there are a couple of errors that had taken place previously where I had been pinpointed as a Communist. The hearings in 1952, at the time when I was pinpointed out by Roy Thompson, a guy which testified for the Bureau.

Mr. WILLIS. He was testifying truthfully.

Mr. POSKONKA. But at the same time my family and myself have been discriminated very badly and hurt, cut up to pieces because people pointed and thrown bricks and slapped me in the face and done everything imaginable because the neighborhood I lived in, there are no Communists and they can't stand a Communist.

Mr. WILLIS. That is always the case.

Mr. POSKONKA. Just a minute. Also in 1956, the same thing, the kid was going to school, was pointed out; and I was coming home from church. People out of the church would come out and say, "Here goes a Communist."

Mr. ARENS. You stayed in the operation?

Mr. POSKONKA. Yes. Serve our country and American flag. There is nothing better, worth fighting for.

Mr. ARENS. Thank you very much.

Mr. WILLIS. Some of the very people critical of you were also people working under the auspices or at the behest of the Government?

Mr. POSKONKA. That is right.

Mr. WILLIS. Thank you so much.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Mr. John P. Lewis.

Please come forward.

Mr. LEWIS. Mr. Chairman, would you call the name given you? It is John Lewis, plain John Lewis.

Mr. ARENS. John Lewis?

Mr. LEWIS. That is right.

Mr. WILLIS. Please raise your right hand. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LEWIS. I do.

TESTIMONY OF JOHN LEWIS, ACCOMPANIED BY COUNSEL, BELFORD V. LAWSON, JR.

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. LEWIS. John Lewis, 5400 South Woodlawn Avenue, Chicago, Ill.; work at the Swift packing plant.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by this committee?

Mr. LEWIS. Yes, sir.

Mr. ARENS. And you are represented by counsel?

Mr. LEWIS. Yes, sir.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. LAWSON. Belford Lawson, Washington, D.C.

Mr. ARENS. How long have you been employed at your present place of employment?

Mr. LEWIS. Since 1924.

Mr. ARENS. Have you in the course of your employment been active in the United Public Workers?

Mr. LEWIS. I remember—no.

Mr. ARENS. Excuse me. The United Packinghouse Workers?

Mr. LEWIS. Right.

Mr. ARENS. What office have you held?

Mr. LEWIS. I have held vice president, president, and chief steward.

Mr. ARENS. Of what?

Mr. LEWIS. Of the United Packinghouse Workers of America, AFL-CIO.

Mr. ARENS. Was that of a local?

Mr. LEWIS. One local.

Mr. ARENS. What local, please?

Mr. LEWIS. Local 28.

Mr. ARENS. Where does it operate?

Mr. LEWIS. At the district headquarters, 4859 South Wabash Avenue, and we have a suboffice at 4306 South Ashland.

Mr. ARENS. Over what period of time did you hold these various offices to which you have just referred?

Mr. LEWIS. 1949, I was first elected in 1949, 1950, and 1951. I was president. In 1952 I was chief steward of the local. In 1953 I didn't run for anything. In 1954 I went back for vice president. In 1955 I went back for vice president; in 1956, 1957, 1958 I went back again for president, and 1959 I ran back for president.

Mr. WILLIS. And were you elected?

Mr. LEWIS. And was elected; yes, sir.

Mr. ARENS. Are you presently then the president of this local?

Mr. LEWIS. Yes, sir.

Mr. ARENS. Where and when were you born?

Mr. LEWIS. February 11, 1905.

Mr. ARENS. Where?

Mr. LEWIS. In Natchez, Miss.

Mr. ARENS. Give us just a word, please, about your education?

Mr. LEWIS. Finished the elementary school.

Mr. ARENS. When?

Mr. LEWIS. About 40 years ago.

Mr. ARENS. Since about 1924 you say you have been working at the packinghouse here?

Mr. LEWIS. Yes, sir.

Mr. ARENS. Are you now or have you ever been a member of the Communist Party?

Mr. LEWIS. Never—I refuse to answer that question. Strike that. I refuse to answer that question on the fifth amendment of the Constitution of the United States and on the ground in may incriminate me.

Mr. ARENS. Do you know the man who just preceded you on the witness stand, Joseph Poskonka?

Mr. LEWIS. I do.

Mr. ARENS. He testified a few moments ago that he knew you as a member of the Communist Party. Was he in error or was he accurate?

Mr. LEWIS. I refuse to answer that question because it may incriminate me.

Mr. ARENS. Are you now a member of the Communist Party?

Mr. LEWIS. No.

Mr. ARENS. Have you ever resigned from the Communist Party?

Mr. LEWIS. I refuse to answer that question on the fifth amendment.

Mr. ARENS. Did you resign technical membership in the Communist Party and maintain yourself in the Communist operation so that you

could deny current membership in the Communist Party, if and when interrogated under oath?

(The witness conferred with his counsel.)

Mr. LEWIS. No.

Mr. ARENS. Have you been a member of the Communist Party at any time since the passage of the Taft-Hartley Act?

(The witness conferred with his counsel.)

Mr. LEWIS. No.

Mr. ARENS. Are you against the Communist Party?

Mr. LEWIS. Yes.

Mr. ARENS. Do you have information respecting persons who to your certain knowledge are or have been members of the Communist Party?

Mr. LEWIS. I refuse to answer that question, fifth amendment.

Mr. ARENS. If you are now against the Communist Party, why do you not tell this committee?

Mr. LEWIS. Strike the answer—repeat that question again.

Mr. ARENS. Do you have information respecting persons who to your certain knowledge are now or have been members of the Communist Party?

(The witness conferred with his counsel.)

Mr. LEWIS. I have no such knowledge.

Mr. ARENS. Do I understand you to say you have no knowledge of anyone who at any time has been a member of the Communist Party?

Mr. LEWIS. No such knowledge.

Mr. ARENS. Have you ever been a member of the Communist Party?

Mr. LEWIS. I refuse to answer that question on the fifth amendment.

Mr. ARENS. Do you know whether or not Poskonka has been a member of the Communist Party?

Mr. LEWIS. I refuse to answer that question, fifth amendment.

Mr. ARENS. Do you know a man by the name of John Hackney?

Mr. LEWIS. I do.

Mr. ARENS. John Hackney testified that he knew you as a member of the Communist Party. Was Hackney in error when he made that statement?

Mr. LEWIS. I refuse to answer that question, fifth amendment to the Constitution of the United States, on the grounds it may incriminate me.

Mr. ARENS. Have you ever served in the Communist Party with Hackney?

Mr. LEWIS. I refuse to answer that question, fifth amendment.

Mr. ARENS. Have you ever served in the Communist Party with Joseph Poskonka?

Mr. LEWIS. I refuse to answer that question on the fifth amendment.

Mr. ARENS. If you are against the Communist Party as you professed a few moments ago, why do you not tell this committee, now, while you are under oath, whether or not Hackney and Poskonka were in the Communist Party?

(The witness conferred with his counsel.)

Mr. LEWIS. I refuse to answer that question on the fifth amendment to the Constitution.

Mr. ARENS. Can you tell us whether or not a man by the name of Charles Hayes has ever been a member of the Communist Party?

Mr. LEWIS. I refuse to answer that question on the fifth amendment.

Mr. ARENS. Can you tell us whether or not to your certain knowledge a man by the name of Sam Parks has ever been a member of the Communist Party?

Mr. LEWIS. I refuse to answer that question on the fifth amendment.

Mr. ARENS. Can you tell us whether or not to your certain knowledge a man by the name of Leon Beverly has ever been a member of the Communist Party?

Mr. LEWIS. I refuse to answer that question on the fifth amendment.

Mr. ARENS. Can you tell us whether or not to your certain knowledge a man by the name of Jesse Prosten has ever been a member of the Communist Party?

Mr. LEWIS. I refuse to answer this question on the fifth amendment.

Mr. ARENS. Can you tell us whether or not to your certain knowledge a man by the name of Jack Souther has ever been a member of the Communist Party?

Mr. LEWIS. I refuse to answer that question.

Mr. ARENS. Can you tell us whether or not to your certain knowledge a man by the name of Leslie Orear has ever been a member of the Communist Party?

Mr. LEWIS. I refuse to answer the question on the fifth amendment to the Constitution.

Mr. ARENS. Can you tell us to your certain knowledge whether a man by the name of Joe Zabritski has ever been a member of the Communist Party?

Mr. LEWIS. I refuse to answer that question on the fifth amendment to the Constitution.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. WILLIS. The witness is excused.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Charles Proctor.

Please come forward and remain standing while the chairman administers an oath.

Mr. WILLIS. Raise your right hand.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PROCTOR. I do.

TESTIMONY OF CHARLES PROCTOR, ACCOMPANIED BY COUNSEL, BELFORD V. LAWSON, JR.

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. PROCTOR. Charles Proctor, Post Office Box 302, Covert, Mich., presently hired as manager of the Packinghouse Labor and Community Center.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities.

Mr. PROCTOR. That is right.

Mr. ARENS. You are represented by counsel?

Mr. PROCTOR. Yes, sir.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. LAWSON. Belford Lawson, Washington, D.C.

Mr. ARENS. How long have you occupied your present position?

Mr. PROCTOR. Since January of this year.

Mr. ARENS. What was your position immediately prior to your present position?

Mr. PROCTOR. Unemployed.

Mr. ARENS. For how long?

Mr. PROCTOR. Approximately a couple of months.

Mr. ARENS. Then what was your employment?

Mr. PROCTOR. Prior to that time?

Mr. ARENS. Yes.

Mr. PROCTOR. Prior to that time I worked for Local 28 for awhile, full time.

Mr. ARENS. Local 28 of what?

Mr. PROCTOR. United Packinghouse Workers of America, AFL-CIO.

Mr. ARENS. Were you employed then, when you worked for Local 28, in Chicago?

Mr. PROCTOR. That is right.

Mr. ARENS. In what capacity?

Mr. PROCTOR. I don't understand your question.

Mr. ARENS. You worked for Local 28 of the United Packinghouse Workers in Chicago, you said. And I asked you in what capacity. What was the job you had with them?

Mr. PROCTOR. As chairman of the grievance committee.

Mr. ARENS. How long did you have that job?

Mr. PROCTOR. I have held that job since 1954.

Mr. ARENS. What was your job prior to that time?

Mr. PROCTOR. Prior to that time I was working, just working in the plant at that time.

Mr. ARENS. Did you have any connection prior to that time with the United Packinghouse Workers of America?

Mr. PROCTOR. I didn't hold office. I was only a member. I did hold office once before from 1949 up until 1951.

Mr. ARENS. Where and when were you born?

Mr. PROCTOR. I was born in Jackson, Miss., January 21, 1913.

Mr. ARENS. How long have you been employed in the general Chicago area?

Mr. PROCTOR. Around approximately 16 years.

Mr. ARENS. Have you ever traveled abroad?

Mr. PROCTOR. I have.

Mr. ARENS. And where did you go and when?

(The witness conferred with his counsel.)

Mr. PROCTOR. I refuse to answer that question for fear it may incriminate me.

Mr. ARENS. I lay before you now three documents, the first of which is a photostatic reproduction of the January 7, 1951, issue of The Worker Magazine. I invite your attention to the photograph under which is captioned "Part of the American Peace Delegation visiting one of the cathedrals inside the Kremlin," listing a number of visitors, including Charles Proctor, of Chicago. Kindly look at that article and particularly that photograph and tell this committee while you are under oath whether or not you are the Charles Proctor whose photograph appears there and who was a member of this delegation described in The Worker Magazine.

(Document handed.)

(The witness conferred with his counsel.)

Mr. PROCTOR. I refuse to answer that question based upon it may incriminate me.

Mr. ARENS. I lay before you a second document, a photostatic reproduction of the Communist Daily Worker of March 21, 1951, in which a number of people are quoted as lauding the Soviet Union and commending its progress and desire for peace at a rally held in Cleveland, Ohio, including a person here identified as Charles Proctor, who had returned to the United States from Soviet Russia.

Kindly look at this document and tell the committee whether or not it refreshes your recollection, whether or not you are the Charles Proctor who participated in that rally and lauded the Soviet Union.

(Document handed.)

(The witness conferred with his counsel.)

Mr. PROCTOR. I refuse to answer that question based upon the fact it may incriminate me.

Mr. ARENS. I lay before you now a booklet entitled "Americans in the U.S.S.R., November-December 1950," containing a statement signed by the American Delegation to the Soviet Union, including Charles Proctor, of Chicago. A photograph also appears at the end of the statement.

Kindly look at that document and tell this committee whether or not you were a participant in that enterprise and loaned your name and your then title to the enterprise on behalf of the Soviet Union.

Mr. PROCTOR. I refuse to answer that question based upon the fifth amendment to the Constitution.

Mr. ARENS. I put it to you as a fact, sir, and ask you to affirm or deny the fact that you did participate in the Second World Peace Congress, that you did go, not only to the Soviet Union, but to Warsaw, Poland, for the propaganda purposes of the international Communist movement. If that is not true, please deny it while you are under oath.

Mr. PROCTOR. I refuse to answer that question based on the fifth amendment to the Constitution.

Mr. ARENS. Mr. Chairman, I respectfully suggest that these three exhibits which I have displayed to the witness be grouped and marked as "Proctor Exhibit No. 1" and incorporated by reference in the record.

Mr. WILLIS. Let them be so marked and incorporated.

(Documents marked "Proctor Exhibit No. 1," and retained in committee files.)

Mr. ARENS. Do you know a man by the name of Poskonka?

Mr. PROCTOR. I do.

Mr. ARENS. Do you know a man by the name of John Hackney?

Mr. PROCTOR. I do.

Mr. ARENS. Both of those men took an oath before this committee and testified that while they were members of the Communist Party they knew you as a Communist. Were they in error or were they telling the truth?

Mr. PROCTOR. I refuse to answer that question based upon the fifth amendment of the Constitution.

Mr. ARENS. Are you now or have you ever been a member of the Communist Party?

Mr. PROCTOR. I am not a member of the Communist Party.

Mr. ARENS. Have you ever been a member of the Communist Party?

Mr. PROCTOR. I refuse to answer that question based upon the fifth amendment of the Constitution.

Mr. ARENS. Have you ever been a member of the Communist Party at any time in the course of the last 5 years?

Mr. PROCTOR. No; I have not.

Mr. ARENS. Have you ever resigned technical membership in the Communist Party and maintained yourself in the operation so that you could deny party membership?

Mr. PROCTOR. No, I have not.

Mr. ARENS. Do you presently have information respecting persons who to your certain knowledge are, or in the past have been, members of the Communist Party?

Mr. PROCTOR. I certainly do not.

Mr. ARENS. You do not know any persons who have ever been members of the Communist Party?

Mr. PROCTOR. I refuse to answer that question based upon the fifth amendment to the Constitution.

Mr. ARENS. Are you now against the Communist Party?

Mr. PROCTOR. I am.

Mr. ARENS. If you are against the Communist Party then speak up now, please, sir, and tell this committee the names and activities of persons, to your certain knowledge, who have been members of the Communist Party.

Mr. PROCTOR. I refuse to answer that question based upon the fifth amendment of the Constitution.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. WILLIS. The witness is excused.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Mr. Donald H. Smith.

Please come forward, Mr. Smith, and remain standing while the chairman administers an oath.

Mr. WILLIS. Would you please raise your right hand?

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SMITH. I do.

**TESTIMONY OF DONALD H. SMITH, ACCOMPANIED BY COUNSEL,
BELFORD V. LAWSON, JR.**

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. SMITH. Donald H. Smith, 9711 South Indiana, Chicago, international representative, United Packinghouse Workers of America, AFL-CIO.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. SMITH. That is right.

Mr. ARENS. And you are represented by counsel?

Mr. SMITH. Yes.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. LAWSON. Belford Lawson, Washington, D.C.

Mr. ARENS. Where and when were you born?

Mr. SMITH. Denver, Colo., May 6, 1913.

Mr. ARENS. And a word about your education, please.

Mr. SMITH. Well, eight grades.

Mr. ARENS. Give us the principal employments which you have had since you reached adulthood.

Mr. SMITH. Oh, I worked as a truckdriver, laborer, packinghouse worker.

Mr. ARENS. Over what period of time have you worked as a packinghouse worker?

Mr. SMITH. From 1938 up until about 1946, then was on leave of absence from Swift & Co., which later was severed on the account of the plant closing down or reduction in the plant. And I have been working for the Packinghouse Workers from 1946 up until now.

Mr. ARENS. Did you work for the Packinghouse Workers in New York at any time?

Mr. SMITH. That is right.

Mr. ARENS. Over what period of time did you work for the Packinghouse Workers in New York?

Mr. SMITH. I would say from 1946 up until 19—well, working in and out of New York up until 1956, I believe.

Mr. ARENS. In what capacity?

Mr. SMITH. Field representative and international representative.

Mr. ARENS. Have you ever been a candidate for public office?

(The witness conferred with his counsel.)

Mr. SMITH. I have.

Mr. ARENS. And where was that?

Mr. SMITH. New York.

Mr. ARENS. Do you know a man by the name of John Hackney?

Mr. SMITH. I do.

Mr. ARENS. Do you know a man by the name of Carl Nelson?

Mr. SMITH. I do.

Mr. ARENS. Each of these men has testified here under oath that he knew you as a member of the Communist Party. Were they in error on that or were they telling the truth?

Mr. SMITH. I refuse to answer that on the grounds it may incriminate me.

Mr. ARENS. Can you tell this committee whether or not in 1948 you participated in a movement on behalf of the 11 Communists who were tried in New York City?

(The witness conferred with his counsel.)

Mr. SMITH. I refuse to answer that on the grounds it may incriminate me.

Mr. ARENS. I lay before you now a photostatic reproduction of the Communist Daily Worker of New York, Friday July 23, 1948, in which a number of persons are listed here with statements on behalf of the 11 Communists who were being tried, and in the article the following appears:

Don Smith, New York subdistrict director, United Packinghouse Workers, CIO, and ALP candidate for State senator, fifth district, Queens:

"The indictment and arrest of the leaders of the Communist Party is the next monstrous step in the direction of the suppression of freedom and toward war."

Kindly look at that article as I display it to you, and tell this committee if it refreshes your recollection and whether or not you loaned your name and your status as a leader of the United Packinghouse Workers on behalf of the 11 Communists.

(Document handed.)

(The witness conferred with his counsel.)

Mr. SMITH. I refuse to answer that on the grounds it may incriminate me.

(Document marked "Smith Exhibit No. 1" and retained in committee files.)

Mr. ARENS. Have you been one of the sponsors of the May Day celebrations of the Communist operation?

Mr. SMITH. I refuse to answer that on the grounds it may incriminate me.

Mr. ARENS. Have you been one of the sponsors and promoters of the Action Conference for Freedom?

Mr. SMITH. I refuse to——

Mr. ARENS. Under the auspices and control of the Communist Party?

Mr. SMITH. I refuse to answer that on the grounds it may incriminate me.

Mr. ARENS. Are you now a member of the Communist Party?

Mr. SMITH. I am not.

Mr. ARENS. Have you ever been a member of the Communist Party?

Mr. SMITH. I refuse to answer that on the grounds it may incriminate me.

Mr. ARENS. Have you been a member of the Communist Party any time in the course of the last 5 years?

Mr. SMITH. I refuse to answer that on the grounds it may incriminate me.

Mr. ARENS. Have you ever resigned from the Communist Party?

Mr. SMITH. I refuse to answer that on the grounds it may incriminate me.

Mr. ARENS. Are you against the Communist Party?

Mr. SMITH. I am.

Mr. ARENS. Have you information respecting persons who to your certain knowledge are or have been members of the Communist Party?

Mr. SMITH. I refuse to answer that on the grounds it may incriminate me.

Mr. ARENS. If you are against the Communist Party, why do you not give this committee information which you may have respecting the Communist Party and respecting persons who to your certain knowledge have been members of the Communist Party?

Mr. SMITH. I refuse to answer that on the grounds it may incriminate me.

Mr. ARENS. Have you been in conference since you have been subpoenaed to appear before this committee with persons respecting your appearance who to your certain knowledge are, or in the past have been, members of the Communist Party?

Mr. SMITH. Come again on that. I didn't quite follow.

Mr. ARENS. Since you were subpoenaed to appear before this committee, have you been in conference respecting your appearance here today with persons who to your certain knowledge are, or have been, members of the Communist Party?

(The witness conferred with his counsel.)

Mr. SMITH. I will take the fifth amendment on the grounds it may incriminate me.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. WILLIS. The witness is excused.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Jesse Prosten. Please come forward.

Mr. LAWSON. If Your Honor pleases, may I say pursuant to the telegram you received Jesse Prosten is available. I don't know whether he is in the courtroom or not. He has not been subpoenaed and we would prefer that he be subpoenaed in order to make sure that his rights are protected. But he is available to this committee and he told me he would be here around this time. Maybe this is he coming up here now.

Mr. LEWIS. No, it isn't. It is John Lewis.

Mr. LAWSON. A little differences there. He is available and I believe he will be here.

Mr. ARENS. May I just make this observation, that as we pointed out here 2 days ago we have been trying to place this prospective witness under subpoena and have been unable to do so. A telegram came from Ralph Helstein, I don't have it before me at the instant, saying in effect that Mr. Prosten wanted to be heard and would be here. We have no other witnesses who are under subpoena for this particular session and in anticipation that he might be here we are calling him as a witness.

Mr. LAWSON. But he is not under subpoena.

Mr. ARENS. No. We would like very much to have had him under subpoena.

Mr. LAWSON. And he has not been hiding out. I have talked with him and he assured me that he had been on this assignment for some time. But out of an abundance of caution the union undertook to notify him and he has come here and I have talked with him. Now, I think that is all we can do. And I do know he will be here.

Mr. ARENS. Counsel, do you represent him?

Mr. LAWSON. Yes, I do.

Mr. WILLIS. Let me say this, as presiding member. We will be glad to have him officially summoned if he presents himself during

a 5-minute recess that I will call. We would like very much to question him. He is not under compulsion to voluntarily come and be summoned and receive the subpoena and I am not suggesting that at all.

On the other hand, we plan definitely on adjourning by 12 o'clock and I would be glad to have him summoned.

In other words, on two conditions: one, he is not under compulsion to appear. If he wants to, we would be very happy to follow that course with the understanding that it will have to be done promptly.

Mr. LAWSON. We are desirous of cooperating with the committee and I think I can assure this committee that he will be here within a few minutes. I think not within 5 minutes. But he will be here shortly and we would like to have him summoned for the record.

Mr. WILLIS. I will say this. You have been most cooperative and I understand your position.

Mr. LAWSON. Thank you very much.

Mr. WILLIS. We will stand in recess for a few minutes.

(Committee members present: Representatives Willis and Johansen.)

(Brief recess.)

(Committee members present: Representatives Willis and Johansen.)

Mr. WILLIS. Kindly raise your right hand, please, sir.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PROSTEN. I do.

TESTIMONY OF JESSE E. PROSTEN, ACCOMPANIED BY COUNSEL, BELFORD V. LAWSON, JR.

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. PROSTEN. Jesse E. Prosten, 5109 South Cornell. I am an international representative for the United Packinghouse Workers of America.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by this committee?

Mr. PROSTEN. That is correct.

Mr. ARENS. You are represented by counsel?

Mr. PROSTEN. That is correct.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. PROSTEN. Belford Lawson, Washington, D.C.

Mr. ARENS. How long have you occupied your present position?

Mr. PROSTEN. Approximately 13 years.

Mr. ARENS. What was your employment immediately prior to your present employment?

Mr. PROSTEN. I worked for the same union out of New York.

Mr. ARENS. In what capacity?

Mr. PROSTEN. In a capacity of a field representative.

Mr. ARENS. And for how long?

Mr. PROSTEN. Approximately a year.

Mr. ARENS. And your employment immediately prior to that?

Mr. PROSTEN. I worked for the same union in Boston.

Mr. ARENS. For how long and in what capacity?

Mr. PROSTEN. As a business agent of a local union for approximately 6 or 7 years.

Mr. ARENS. And then give us, if you please, the preceding employment.

Mr. PROSTEN. Odd jobs, WPA, jobs of that kind.

Mr. ARENS. Where and when were you born, please?

Mr. PROSTEN. Born in Brooklyn, N.Y., in 1912.

Mr. ARENS. Just a word about your education.

Mr. PROSTEN. Grade school and a year and a half of high school.

Mr. ARENS. Did that complete your formal education?

Mr. PROSTEN. That is correct, sir.

Mr. ARENS. Are you now or have you ever been a member of the Communist Party?

Mr. PROSTEN. Beg your pardon?

Mr. ARENS. Are you now or have you ever been a member of the Communist Party?

Mr. PROSTEN. I will take the fifth amendment on that, tend to incriminate me.

Mr. ARENS. Do you honestly apprehend if you told this committee truthfully while you are under oath whether or not you have ever been a member of the Communist Party you would be supplying information which might be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. PROSTEN. Will you repeat that question, please?

Mr. ARENS. Do you honestly apprehend that if you told this committee truthfully while you are under oath whether or not you have ever been a member of the Communist Party you would be supplying information which might be used against you in a criminal proceeding?

Mr. PROSTEN. Yes, sir.

Mr. ARENS. Are you now a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. PROSTEN. No, sir.

Mr. ARENS. Have you been a member of the Communist Party at any time in the course of the last 5 years?

Mr. PROSTEN. Fifth amendment.

Mr. ARENS. I lay before you now a photostatic reproduction of the Communist Daily Worker of May 16, 1952, in which a number of persons are urging the repeal of the Smith Act and attacking the various security laws of this Government, including, Jesse Prosten of Local 11, Boston.

Kindly look at this document and tell this committee whether or not you participated in that enterprise.

(Document handed.)

(The witness conferred with his counsel.)

Mr. PROSTEN. Fifth amendment.

(Document marked "Prosten Exhibit No. 1" and retained in committee files.)

Mr. ARENS. I lay before you now a document petitioning for the freedom of Earl Browder, then Secretary of the Communist Party, signed by a number of persons, including Jesse Prosten.

Kindly look at that document and tell this committee while you are under oath whether or not you participated in that enterprise.

Mr. PROSTEN. I will take the fifth amendment.

Mr. ARENS. I beg your pardon?

Mr. PROSTEN. I will take the fifth amendment on this, sir.

(Document marked "Prosten Exhibit No. 2" and retained in committee files.)

Mr. ARENS. Do you know a man by the name of John Hackney?

Mr. PROSTEN. I knew a member of the union by the name of John Hackney; yes, sir.

Mr. ARENS. Did you know John Hackney in any other capacity other than in his capacity as a member of the union?

Mr. PROSTEN. Fifth amendment, sir.

Mr. ARENS. Did you know Carl Nelson?

Mr. PROSTEN. I knew him as a member of the union.

Mr. ARENS. Did you know him in any other capacity?

Mr. PROSTEN. Fifth amendment, sir.

Mr. ARENS. Did you know Joseph Poskonka?

Mr. PROSTEN. Would you repeat that?

Mr. ARENS. Joseph Poskonka.

Mr. PROSTEN. I think he worked at the Armour plant in Chicago.

Mr. ARENS. Did you know him in any capacity other than as a person who worked at the Armour plant?

Mr. PROSTEN. Fifth amendment, sir.

Mr. ARENS. Each of those men has testified under oath before this committee in the course of the last 2 or 3 days that he knew you as a member of the Communist Party. We would like to afford you now an opportunity to deny their testimony while you are under oath. Do you care to avail yourself of that privilege?

Mr. PROSTEN. I can't be responsible for anything they say and I will take the fifth amendment on that.

Mr. ARENS. Did they tell the truth when they said they knew you as a Communist?

Mr. PROSTEN. Fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. WILLIS. You are excused. The committee will take a recess for 3 minutes.

(Committee members present: Representatives Willis and Johansen.)

(Brief recess.)

Mr. WILLIS. The subcommittee will please come to order.

(Committee members present: Representatives Willis and Johansen.)

Mr. WILLIS. In concluding the hearings in Chicago, I should like to make a few brief comments.

In the first place I want to commend those witnesses whom we have heard, who by direct testimony from their experience in the Communist Party have supplied this committee with valuable information respecting the operation of the Communist menace. Were it not for loyal citizens of that type, such as Carl Nelson, John Hackney, and Joseph Poskonka, this committee and the Government of the United States would be at a great disadvantage.

The information which these men have supplied to this committee takes on added significance when it is considered in connection with similar information which we are constantly assembling in other areas on different facets of the conspiracy. We have seen here a verification and confirmation of similar techniques and strategies practiced at nerve centers throughout our country. With reference to those witnesses who in varying degrees refused to answer questions posed by the committee, may I say that by indirection they, too, have contributed to our work, even though unwillingly or unwittingly.

We will return to Washington with the information which has been developed here and use it as part of the fund of knowledge which we are gaining to assist us in the discharge of our duties, which, under a mandate of the Congress are, in essence, to maintain a continuing surveillance over the operation of our various security laws, and to recommend, when necessary, amendments to those laws, or enactment of new laws.

I wish it were possible for the Congress of the United States to pass a single law which would for all time end the Communist conspiracy. Unfortunately, however, this cannot be done because Communists constantly seek new devices to accomplish their objectives, all of which require new legislative weapons.

Long ago it was proclaimed that eternal vigilance is the price of liberty. One of the very objectives of the Communist conspiracy in the United States is to create an attitude of apathy—it can't happen here, as the saying goes.

But here are words of J. Edgar Hoover, Director of the Federal Bureau of Investigation, on this subject.

Public apathy is the sure way to national suicide—to death of individual freedom. It allowed the Communists to penetrate and make satellites of once-free countries, and it is presently enabling them to honeycomb and weaken the structures of the remaining countries, and there is today a terrifying apathy on the part of Americans toward the deadliest danger which this country has ever faced. Some of that apathy is deliberately induced.

That is the end of Hoover's quotation.

Before concluding I should like to express the thanks of the subcommittee to Federal Judge Campbell, to Mr. Frank Allen and the members of his office staff, who have most courteously made available to us this courtroom.

We should like also to thank United States Marshal William Kipp and his capable deputies for their very splendid cooperation in permitting these hearings to go on smoothly without a ripple of public disorder.

And, finally, we should like to express our sincere thanks to the members of the press and of the radio and television profession who have been most courteous to us.

We deliberately planned our completion of our work at this time because members of this committee are due to board a plane as soon as possible to try to get on record late this afternoon on a very important vote in the Congress.

Does my colleague care to make some observations?

Mr. JOHANSEN. Just very briefly, Mr. Chairman.

First of all, I want to most emphatically associate myself with the statement made by the chairman. As the representative of the minority I want to emphasize one fact, which is familiar to every Mem-

ber of Congress, and I hope it is to the American people, and that is, that the problem we are attempting to deal with here, the solutions we are attempting to bring, and the efforts that we are making to carry out the legislative mandate and aid in the legislative functions of the Congress is a completely bipartisan effort. It is the effort of the responsible elected officials acting in accordance with the mandate of the Congress to aid in the performance of legislative functions.

Because of one type of testimony that we have had in these hearings in which it was stated that there was a willingness to tell all about the activities of the Communist conspiracy, but a refusal to identify the actors, I do want to make this one observation. It is highly unfortunate but inescapably true that the actors cannot be divorced from the activities and it is impossible for the Congress to have the information it needs and for this committee to provide that information without identifying the actors and directly linking them with the activities. Therefore, that which impedes the effort to identify the actors impedes the effort to describe and define the activities and so impedes the legislative functions of this committee.

I have just one other comment. In view of the fact that there appears on the record of this testimony a reference to a recent prominent criticism of this committee as being the most un-American thing in America today, I think it ought also to be a matter of record that the source of that comment has since made it very clear, Mr. Chairman, that it was not with reference to the committee as today constituted and as today functioning, and I am appreciative of that responsible comment which indicates an awareness of the responsibilities this committee has and the conscientious effort it is making to perform them.

I do express my appreciation for those who have cooperated with the committee and to the chairman for the eminently fair way in which he conducted it.

Mr. WILLIS. The hearings here in Chicago will be now closed.

(Committee members present: Representatives Willis and Johansen.)

(Whereupon, at 11:36 a.m., Thursday, May 7, 1959, the hearings were closed.)

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